

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

garment industry inordinately rewarded factory owners and managers, while ignoring factory workers' safety and rights. In the dusty rubble of the building collapse, it became crystal clear that the Bangladeshi Government, factory owners and managers, and the global apparel brands all had a grave responsibility to do more, and quickly, to secure the labor rights of Bangladeshi workers. A simple fact remains, 5 years later: Had the Rana Plaza workers been afforded the ability to organize and protect their interests, the tragedy never would have happened. With collective strength and action, they could have stood up to employers to demand basic rights, and they could have refused to be ordered back into the building without appropriate safety standards. Five years later, it is also clear that a great deal of work remains to secure these rights.

As the son of a seamstress who worked in the textile factories of northern New Jersey, I knew from watching my mother how tiring and strenuous such work could be, but it does not have to be fatal. The United States' own Triangle Shirtwaist Fire more than a hundred years before Rana Plaza, which killed nearly 150 people, galvanized a necessary workers' movement and subsequent necessary reforms that to this day help protect labor rights while ensuring that American companies produce high-quality products. To this day, the AFL-CIO and other American labor unions work tirelessly to expose the conditions facing U.S. workers and to organize collective responses and inform government decisions to promote worker protections. Last year, for example, an AFL-CIO report revealed an alarming rate of workplace deaths among Latinos and immigrants to the United States and provided recommendations to the Department of Labor to address them. Along with many of my Senate colleagues, I am pushing for our government to adopt these recommendations. Put simply, the successes of American organized labor are inextricable from the prosperity of the American economy and have helped to boost the fortunes of countless American workers.

We know that countries and people are more secure and prosperous when workers can operate in safety while pursuing economic success. The proud legacy of the movement for American workers' rights demands that we advocate for workers at risk around the globe. In the past 5 years since the Rana Plaza disaster, we have so advocated. We have come together in unprecedented ways to address the factors driving labor abuses against workers in Bangladesh.

As chairman of the Foreign Relations Committee at the time of the Rana Plaza disaster in 2013, my first hearing explored the tragedy and the consequences of a race to the bottom that had increased companies' profit margins alongside risks to their workers. This was the first SFRC hearing fo-

cused on labor rights in more than a dozen years. I called another hearing early the following year to review progress in addressing the labor rights emergency in Bangladesh and conducted rigorous, bipartisan oversight to ensure that the U.S. Government was doing all it could to spur change among brands, owners, and Bangladeshi Government officials. This included a field visit and a November 2013 majority staff report that examined progress in advancing workers' safety and labor rights since the Rana Plaza disaster and the Tazreen factory fire. We also worked closely with our colleagues on the Appropriations Committee to ensure that funds over 3 successive fiscal years were designated to directly support the development and capacity-building of truly independent labor unions in Bangladesh that could safely and effectively advocate for worker rights.

Meanwhile, major American retailers who produced apparel in Bangladesh, including Abercrombie & Fitch, American Eagle Outfitters, and Fruit of the Loom, joined the effort alongside other global brands, governments, civil society, and labor unions to grapple with the acute challenges facing Bangladeshi workers who produced their goods. The risk of undermined consumer confidence and declines in brand quality helped spur some corporations to join the Accord on Fire and Building Safety in Bangladesh—a 5-year, legally binding compact to improve safety in Bangladeshi ready-made garment factories through reasonable steps to prevent future disasters. Most importantly, the accord signatories included labor unions, who were rightly regarded as equal and critical stakeholders in effecting needed change. Five years later, accord brands have the opportunity to demonstrate a sustained commitment to worker rights by signing on to the 2018 accord. This iteration strengthens and expands the accord to cover freedom of association. Other groups, such as the Alliance for Bangladesh Worker Safety, have also helped to further galvanize American and multinational brands to take greater responsibility for ensuring worker safety in Bangladesh. In any such efforts, workers and their representatives must have a truly equal seat at the table, for without them we cannot make meaningful labor rights reforms.

Governments have a critical role to play as well. Following Rana Plaza, the United States and other governments pressed Bangladesh to take meaningful steps to improve respect for labor rights in the country, including through removing Bangladesh from the generalized system of preferences and conducting regular reviews of the Bangladeshi Government's efforts to better adhere to international labor standards. I believe the U.S. Government can and should do more to ensure that developing countries with which our country trades are taking nec-

essary steps to respect labor and human rights. I was proud last year to introduce the Labor Rights for Development Act with Senator BROWN and the Anti-Trafficking Trade Act with Senator PORTMAN that together would raise the labor and human rights standards countries must meet to gain preferential access to the U.S. market.

Five years on, the progress made in Bangladesh is simply not enough. Factories throughout the country have failed to meet their binding commitments on workplace safety in the accord and the alliance, risking the departure of some global retailers to other markets. Independent unions in Bangladesh remain constrained and subject to increasing harassment and attacks on labor rights activists, which often occur with impunity. Amidst a growing climate of political tensions in Bangladesh, the government too often views independent labor unions as opposition dissenters to punish, rather than key partners that are vital to the country's growth and prosperity.

In the 5 years since Rana Plaza, I have continued to believe that what happens in Bangladesh to improve labor rights and workers' safety can have a dramatic ripple effect on the global apparel industry and that real change in working conditions there can help to change conditions for workers everywhere in a race to the top, but similarly, if not enough happens in Bangladesh, it sends the message that workers' lives can still be systematically undervalued and that working to advance labor rights is an endeavor not worth the risk. That is the wrong message, and on this anniversary, we must recommit ourselves to pushing stakeholders in Bangladesh—whether government, brands, or owners—to continue a path of reform. To do any less harms not just the workers, but also Bangladesh's economic potential, because no one will want to wear clothes stained with the blood of workers.

#### ADDITIONAL STATEMENTS

##### REMEMBERING JAMES DODD "JIM" MANASCO

• Mr. JONES. Mr. President, today I wish to honor the life and legacy of Jim Manasco, who passed away at his home on Smith Lake in Alabama on April 12, 2018.

Jim was a self-taught artist and sign painter who entered the trade as an apprentice when he was just 16 years old. He was a successful commercial artist for 65 years and possessed the rare ability to letter and paint freehand. He was also a gifted creative artist in multiple mediums, from carving to pottery to painting.

In the early 1970s, Jim, his wife, Ruth, and a small group of naturalists were leaders in the fight to preserve and protect the land along the Sipsey fork of the Black Warrior River in northwest Alabama. Because of his