

I will come back in a minute.
I yield to the majority leader.
The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 415.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Gen. John E. Hyten for appointment as Vice Chairman of the Joint Chiefs of Staff and for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility in accordance with title 10, U.S.C., sections 154 and 601: to be General.

CLOTURE MOTION

Mr. MCCONNELL. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Gen. John E. Hyten for appointment as Vice Chairman of the Joint Chiefs of Staff and for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility in accordance with title 10, U.S.C., sections 154 and 601: to be General.

Mitch McConnell, Roger F. Wicker, John Cornyn, Richard C. Shelby, John Barasso, Johnny Isakson, Richard Burr, Thom Tillis, Mike Rounds, Mike Crapo, James E. Risch, Roy Blunt, John Boozman, John Thune, David Perdue, John Hoeven, Steve Daines.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to legislative session and be in 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.

THE PHILIPPINES

Mr. LEAHY. Madam President, killings of environmental defenders are shockingly common in Latin America, Africa, and Asia. The assassination of Berta Caceres in Honduras 3 years ago, orchestrated by top officials of a hydroelectric company and carried out by

retired and Active-Duty soldiers who had received training from the United States, was emblematic of the widespread use of harassment, threats, and murder to silence those who courageously call for changes in policies and practices to protect the environment.

According to a report released today by Global Witness, the Philippines has the highest number of killings in Asia of people who oppose illegal logging, destructive mining, and corrupt agribusiness, with at least 30 cases documented in 2018. The total number is likely higher, as some investigations are ongoing. Many of the victims simply wanted a say in how their land and the country's natural resources are used. The perpetrators are almost never arrested or prosecuted.

On July 25, 2016, the Philippines' newly elected President Rodrigo Duterte delivered his first state of the nation address. He promised to safeguard the country's rural and indigenous communities, tackle corruption, and protect the environment. The results since then paint a very different and distressing picture. If President Duterte meant what he said, he has failed miserably. According to Global Witness, in the 3 years before Duterte took office at least 65 land and environmental defenders were murdered. That was appalling enough. But in the 3 years since he came to power, that number rose to 113. At least 31 of those murders were reportedly committed by the Philippine Armed Forces, whose soldiers and officers act with near total impunity.

The Philippines is a major recipient of U.S. military aid, and we are perceived by the families of the victims to be enablers of these crimes. In addition to increasing support for local environmental defenders, the Secretary of State and Administrator of the U.S. Agency for International Development should urge the Duterte government to ensure that the right to free, prior, and informed consent of those impacted by policies and practices that threaten their land and natural resources is respected. This is necessary not only to prevent the destruction of forests and farms, the pollution of watersheds, and the extinction of species, but to avoid confrontations and violence that result when extractive industries, supported by the Armed Forces and police, run roughshod over local communities.

The Secretaries of State and Defense should also ensure that those in the Philippine Armed Forces who receive our aid respect the rights of civilians and are accountable to the rule of law. When abuses occur they should be thoroughly investigated and the individuals responsible brought to justice. The Leahy Laws require that, and it is the responsibility of U.S. officials to ensure that they are enforced.

ARMS SALES NOTIFICATION

Mr. RISCH. Madam President, section 36(b) of the Arms Export Control

Act requires that Congress receives 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. JAMES E. RISCH,
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. 19-62 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Thailand for defense articles and services estimated to cost \$400 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,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 19-62

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 Thailand.

(ii) Total Estimated Value:
Major Defense Equipment*: \$300 million.
Other: \$100 million.
Total: \$400 million.

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

Major Defense Equipment (MDE): Eight (8) AH-6i Helicopters, Light Attack-Reconnaissance.

Fifty (50) AGM-114R Hellfire.

Two-hundred (200) Advance Precision Kill Weapon System (APKWS) Rockets.

Non-MDE: Also included are ten (10) M134 Mini Guns, ten (10) M260 Rocket Launchers, ten (10) M299 Longbow Hellfire Launcher, ten (10) AN/APN-209 Radar Altimeter, eight (8) AN/APR-39(V)(4), four (4) GAU-19/B .50 Cal Machine Gun, five-hundred (500) Hydra 70 Rockets, twenty (20) AN/AVS-6 Night Vision Goggles, eight (8) WESCAM MX-10Di Cameras, ten (10) AN/APX-123 IFF, ten (10) AN/ARC 201E-VHF-FM, ten (10) AN/ARC-231 w/ MX-4027, ten (10) LN-251 Inertial Navigation System/Global Positioning System (EGI), Aircrew Trainer (ACT), Pilot Desktop Trainer (PDT), Virtual Maintenance Trainer (VMT), contractor provided pilot and maintainer training, peculiar ground support equipment, spares, publications, integrated product support, technical assistance, quality assurance team, transportation, and other related elements of logistics and program support.

(iv) Military Department: Army (TH-B-WHB).

(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 Annex Attached.

(viii) Date Report Delivered to Congress: September 24, 2019.

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

POLICY JUSTIFICATION

Thailand—AH-6i Helicopters

The Government of Thailand has requested to buy eight (8) AH-6i light attack reconnaissance helicopters; fifty (50) AGM-114R Hellfire missiles; and two-hundred (200) Advanced Precision Kill Weapon System (APKWS) Rockets. Also included are ten (10) M134 Mini Guns, ten (10) M260 Rocket Launchers; ten (10) M299 Longbow Hellfire Launcher; ten (10) AN/APN-209 Radar Altimeter; eight (8) AN/APR-39(V)4 four (4) GAU-19/B .50 Cal Machine Gun; five-hundred (500) Hydra 70 Rockets; twenty (20) AN/AVS-6 Night Vision Goggles; eight (8) WESCAM MX-10Di Cameras; ten (10) AN/APX-123 IFF; ten (10) AN/ARC 201E-VHF-FM; ten (10) AN/ARC-231 w/ MX-4027; ten (10) LN-251 Inertial Navigation System/Global Positioning System (EGI); Aircrew Trainer (ACT); Pilot Desktop Trainer (PDT); Virtual Maintenance Trainer (VMT); contractor provided pilot and maintainer training peculiar ground support equipment; spares; publications; integrated product support; technical assistance; quality assurance team; transportation; and other related elements of logistics and program support. The total estimated program cost is \$400 million.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of a Major Non-NATO ally in INDO-PACOM. Thailand is a strategic partner committed to contributing to regional security.

The proposed sale of the AH-6i helicopter will improve the Royal Thai Army's (RTA) light attack capability to strengthen its homeland defense and deter regional threats. These AH-6i helicopters will replace the RTA's aging fleet of seven AH-IF Cobra helicopters. As part of a broader military modernization effort, these AH-6i helicopters will provide light attack reconnaissance for close air support to special operations forces, Stryker infantry soldiers and border guard units. Thailand will have no difficulty absorbing this equipment into its armed forces.

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

The principal contractor for the AH-6i is Boeing Company, Mesa, Arizona. 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 permanent additional U.S. Government or Contractor representatives to Thailand.

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

TRANSMITTAL NO. 19-62

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 AH-6i Light Attack Helicopter is a commercial-off-the-shelf, light attack/reconnaissance helicopter to include AN/APX-123 Identification Friend or Foe (IFF) Mode S Transponder, AN/ARC 201E-VHF/FM Radio, AN/ARC-231 w/MX-4027 Radio and LN 251

Embedded GPS/INS (EGI). The helicopter will be equipped with the WESCAM MX-10Di Sight/Targeting Sensor to ensure commonality and interoperability with the other aircraft platforms. The airframe itself does not contain sensitive technology.

2. Identification and security classification of sensitive technological information and/or restricted information contained in the equipment, major components, subsystems, software, technical data (Performance, Maintenance, R&M, etc.) documentation, training devices and services to be conveyed with the proposed sale. Also a brief explanation of why information is sensitive:

a. The AN/APX-123, Identification Friend or Foe (IFF) Transponder, is a space diversity transponder and is installed on various military platforms. When installed in conjunction with platform antennas and the RCU (or other appropriate control unit), the transponder provides identification, altitude and surveillance reporting in response to interrogations from airborne, ground-based and/or surface interrogators. The transponder provides operational capabilities for Mark XII Identification IFF capabilities of Modes 1, 2, 2/ A, C and 4&5 and Modes S (levels 1, 2, and 3 capable).

b. The LN-251 INS/GPS is a satellite based positioning system coupled to the aircraft inertial navigation system to provide aircraft position and navigation. The INS/GPS has an embedded SAASM and has gyro and accelerometers that have been evaluated as MTCR Category II controlled items, specifically items 9.A.6 and 9.A.8.

c. The WESCAM MX-10Di is a small Multi-Sensor, Multi-Spectral Imaging System with Inertial Measurement Unit (IMU) and Embedded with Global Positioning System (GPS) Standard Positioning Service (SPS). WESCAM MX-10 is embedded with GPS SPS. SPS is a three-dimensional position and time determination capability provided to a user equipped with a minimum capability GPS SPS receiver in accordance with GPS national policy. The LN-200 is a small, lightweight fiber optic IMU comprised of gyro and accelerometers that have been evaluated as MTCR Category II controlled item, specifically item 9.A.6.

d. The M 134 Mini Gun has variable rates of fire-up to 4000 rounds per minute-and has seen increasingly widespread deployment over the last several years.

e. The AN/APR-39 (V)4 Radar Signal Detecting Set is a system that provides warning of a radar directed air defense threat and allow appropriate countermeasures.

f. The 12.7mm (.50 caliber) GAU-19/B Externally Powered Gatling Gun, has variable rates of fire-up to 2000 rounds per minute-and has seen increasingly widespread deployment over the last several years.

g. The M299 Longbow Hellfire Launcher (LBHL) is a digital missile launcher capable of carry and launch of up to four of any combination of AGM-114 missiles. The launcher provides electronic functions required for the missile and launcher to communicate with the platform through MIL-STD-1760 and MIL-STD-1553 interfaces. The production quad-rail configuration was designed for use on the AH-640 Apache Longbow but is also commonly used on a wide variety of other rotary-wing platforms across all services. The M299 launcher has also been successfully re-configured into a dual rail launcher for weight savings and/or use on smaller platforms and also into a single-rail configuration for use on Un-manned Air System (UAS) platforms where the launcher electronics is integrated within the platform airframe.

h. The AGM-114 Hellfire II is a precision strike, Semi-Active Laser (SAL) guided missile and is the principal air-to-ground weapon

on for the Army AH-64 Apache. It provides the warfighter with an air-to-ground, point target precision strike capability to defeat advanced armor and an array of traditional and non-traditional targets. The Hellfire AGM-114R model is a selectable multipurpose warhead providing effects against a diverse target set.

1. The M260 Rocket Launcher with APKWS capability is a seven tube rocket launcher with a remote fuze setting function. Once the target is located, single or multiple pairs of the Hydra 70 APKWS folding-fin rockets can be launched toward the target when a predetermined time signal is sent to the electronic time fuze.

J. The APKWS is a low cost semi-active laser guidance kit developed by BAE Systems which is added to current unguided 70 mm rocket motors and warheads similar to and including the Hydra 70 rocket. It is a low collateral damage weapon that can effectively strike both soft and lightly armored targets. APKWS turns a standard unguided 2.75 inch (70 mm) rocket into a precision laser-guided rocket.

k. AN/AVS-6 (Helmet Mounted) Night Vision Goggles. The AN/AVS-6 NVG is a 3rd generation aviation NVG offering higher resolution, high gain, and photo response to near infrared. AN/AVS-6 is a lightweight, binocular, night vision imaging system developed by the US Army specifically for helicopter flying. The system can be mounted to a variety of aviator helmets, including the SPH-4B, HGU-56P, HGU-55/P, HGU-55/G, HGU-26/P and Alpha. A 25mm eye relief eyepieces easily accommodate eyeglasses. Low-profile battery pack improves aviator head mobility and increases battery life. Other features include flipup/flop-down capability, simple binocular attachment, individual interpupillary adjustment, tilt, vertical and fore-aft adjustments to fit all aviators.

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 Thailand can provide substantially the same degree of protection for the technology being released as the U.S. Government. This sale supports the U.S. foreign policy and national security objectives as outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to Thailand.

TRIBUTE TO ESTHER CODY SPLITT

Ms. BALDWIN. Madam President, today I wish to recognize and honor Esther Cody Splitt, on the occasion of her 100th birthday.

Her incredible life of "firsts" and extraordinary service to her community and country began with her birth in the historic year of 1919, the year women earned the right to vote. With encouragement from her smart and strong-willed Irish mother, Cody grew up in Wausau during the Great Depression, when money for entertainment was nonexistent. Instead of sending Cody to the movies, she told her to go to the county courthouse and watch the lawyers for free. "Enchanted" by what she saw, Cody returned home and told her mother she had decided to become a lawyer. Her mother supported