

no known offset agreements proposed in conjunction with this proposed sale; however, the purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the Purchaser and the prime contractor(s).

Implementation of this proposed sale will require 60 U.S. Government or contractor representatives to travel to India for a period of six weeks (non-concurrent). Activities will include de-processing/fielding, training, and technical/logistics support.

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

TRANSMITTAL NO. 19-55

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 Integrated Air Defense Weapon System (IADWS) is a System of Systems (SOS) consisting of the National Advanced Surface-to-Air Missile System (NASAMS), a Very Short Range Air Defense (VSHORAD) capability consisting of the Stinger FIM-92 Reprogrammable Micro-Processor (RMP) Block I missile, and small arms. The IADWS is designed for mid-range air defense and can be deployed to engage fixed wing and rotary wing aircraft, cruise missiles, and unmanned aerial vehicles (UAVs). The IADWS is not a Program of Record (POR) for the U.S. Department of Defense, but the SOS architecture does consist of four PORs: The U.S. Army's AN/MPQ-64 Sentinel radar, the U.S. Army's FIM-92L Stinger Missile, U.S. Air Force's Multi-Spectral Targeting System-A (MTS-A), and the U.S. Air Force's AIM-120 Advanced Medium Range Air-to-Air Missile (AMRAAM). The NASAMS is comprised of U.S. and Norwegian manufactured components. Norwegian components will be procured by the Raytheon Company. Norwegian involvement will be managed by Raytheon using export authorizations received from the U.S. Department of State.

2. The NASAMS Fire Unit (FU) consists of one fire distribution center (FDC), one AN/MPQ-64F1 surveillance, acquisition, and tracking radar, 3 truck-mounted Canister Launchers (LCHR) and the High Mobility Launcher (HML) with 6 AMRAAM missiles each, and one truck-mounted Electrical Optical/Infrared (EO/IR) Sensor System, the MTS-A, for visual target identification and raid size assessment.

3. The command and control entity, FDC, is the major operator interface in NASAMS. It provides all command and control functionality necessary to effectively conduct Air Defense missions, both in a stand-alone (autonomous) configuration as well as in a netted configuration integrated to other units. The FDC interfaces and controls the MPQ-64F1 Sentinel radar, the MTS-A EO/IR Sensor and the Canister and High Mobility Launchers. In addition, it interfaces and sends commands to any connected Very Short Range Air Defense (VSHORAD) Stinger platforms. The FDC also interfaces (voice and data) to the national command and control structure.

4. The AN/MPQ-64F1 Sentinel Radar is the organic mobile Air Defense acquisition and tracking sensor for the United States Army. Sentinel provides persistent air surveillance and fire control quality data through command and control systems to defeat Unmanned Aerial System (UAS), cruise missiles, and fixed-wing and rotary-wing aircraft threats.

5. The purpose of the Canister Launcher (LCHR) and the High Mobility Launcher (HML) is to transport, aim, and fire the AMRAAM missiles. Under the remote con-

trol of the Fire Distribution Center (FDC), the LCHR/HML permits rapid launching of one or more missiles against single or multiple targets. The LCHR/HML provides 360-degree, all weather, day and night, missile launch capability.

6. The AN/AAS-52 and AN/AAS-44C(V) Multi-Spectral Targeting System-A (MTS-A) is a multi-use infrared (IR), electro optical (EO), and laser detecting ranging-tracking set originally developed and produced for use by airborne platforms. This advanced EO and IR system provides long-range surveillance, target acquisition, target tracking, range finding, and laser designation. It has been adapted for towers, aerostats, and ground based applications.

7. The AIM-120C-7/C-8 Advanced Medium Range Air-to-Air Missile (AMRAAM) is a supersonic, aerial intercept, guided missile featuring digital technology and micro-miniature solid-state electronics that is also able to operate as a ground-based air defense missile capable in all-weather against multiple targets in a sophisticated electronic attack resistance to electronic countermeasure, and interception of high- and low-flying maneuvering targets. The AIM-120C-8 is a form, fit, function refresh of the AIM-120C-7 and is the next generation to be produced.

8. The VSHORAD system consists of the four Dual Mount Stinger (DMS) systems, two Rapid Ranger (RR) Stinger Mobile Integrated Defense Systems, and the Stinger 92L Reprogrammable Micro-Processor (RMP) Block I missile.

9. The Stinger 92L Reprogrammable Micro-Processor (RMP) Block I missile is an infrared homing surface-to-air missile that can be adapted to fire from a wide variety of ground vehicles.

10. The DMS System provides a man-portable pedestal system that can be used day or night in any environment. The DMS fires two Stinger missiles, and includes fully integrated day/night sights with optical zoom capability. Included as part of the DMS is a ruggedized tablet from which video output from the visible band day-sight, IR scene from the night-sight, and target cueing data are integrated. Slew-to-cue information provides guidance to the gunner for target selection. The OMS can interface with the NASAMS FDC for Target Designation and Target Engagement Authorization as well as autonomous operation.

11. The Rapid Ranger (RR) consists of a High Mobility Vehicle operated by a crew of three. The RR is integrated by Raytheon with two Stinger Vehicle Universal Launchers (SVULs), a Fire Control System (FCS), and a Command, Control and Communications (C3) System. The RR can interface with NASAMS FDC for Target Designation and Target Engagement Authorization as well as autonomous operation.

12. 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.

13. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of India.

## IMPEACHMENT

Mr. BARRASSO. Mr. President, I come to the floor today following Senate acquittal in the impeachment trial of President Trump.

After a 2-week trial, the U.S. Senate has delivered impartial justice. Make

no mistake: Senate acquittal is the final judgment, forever clearing President Trump.

The House clearly made serious mistakes. Never before has a President been impeached with no underlying crime, no defense counsel, and not a single Republican vote. It was purely partisan and totally political.

The House overstepped its authority. The Senate, however, according to the Constitution, has the final word. The Senate followed the law. The Senate held a fair trial. We used the bipartisan Clinton trial format. These rules ensured both sides full and equal time.

Let's not forget: In the House, the President's rights were ignored. He had no voice, no due process, no defense. The Senate allowed the President to defend himself, and his defense team presented a fact-based case. White House lawyers detailed the President's legitimate, long-held concerns over Ukraine corruption. The President's legal team made a strong case against the House impeachment articles.

House managers, meanwhile, failed to prove their case. Rather than focus on facts, they appeared to be playing to the cameras. Incredibly, House managers attacked the Senate jury, accusing Republicans of "corruption" and "cover-up." House managers played for time, repeating speeches, demanding more witnesses we didn't need. In reality, it was a weak case. There were no offenses that rose to the Constitution's requirement of "Treason, Bribery, or other high Crimes and Misdemeanors."

The House process was one-sided from the start. For political purposes, Speaker PELOSI rushed the impeachment vote by Christmas, claiming urgency. Then her sense of urgency disappeared. She proceeded to delay the Senate trial for 4 weeks. The Speaker waited 33 days to send us the Articles of Impeachment. This begs the question: Why delay the removal of a President the Democrats in the House claim is "dangerous"?

Still, the Speaker insisted this spectacle was "solemn," even prayerful. Then came her strangely irreverent signing ceremony. Nothing says solemn like souvenir signing pens.

The bottom line is: Partisan impeachment is poison—poison—for our democracy. Senate acquittal is the antidote. Impeachment has hurt and divided this country. It has also delayed important work on behalf of the American people. Congress needs to now come together and move forward.

Look at the incredible results we are already seeing under this President. Thanks to tax and regulatory relief, our economy is booming. American workers are winning.

We are seeing record job growth: 7 million new jobs, 500,000 new manufacturing jobs, and 50-year-low unemployment. Middle-class and blue-collar wages are rising. Household wealth is soaring. Consumer confidence is at record highs. Add to that the President's America-first trade deals. The

U.S.-Mexico-Canada deal, deals with China, Japan, they are a boon for our farmers and for our workers. What is more, we have unleashed American energy. The U.S. is now No. 1 in oil and in natural gas. We no longer need Middle East oil. We have also confirmed 187 highly qualified Federal judges. Above all, we are keeping the country safe and secure. President Trump has completely rebuilt our military.

Yet partisan impeachment has blocked progress. Congress has learned its lesson: Impeachment, if it is to ever happen again, must be bipartisan, fair, and rare. Senate acquittal is the final judgment.

Now, we are back to work for the American people. We are looking forward to the important work ahead, to continuing our progress on priorities like lowering prescription drug costs, securing our border, and fixing our aging roads and bridges.

The 2020 Presidential election is fast approaching. In fact, voting has already occurred in Iowa. It is time for the American people to decide who serves as President. It is time for Congress to get back to work. Thank you.

Ms. MCSALLY. Mr. President, on Wednesday, I voted against convicting President Trump of the two Articles of Impeachment. The Senate has spent the last 3 weeks in a Presidential impeachment trial for only the third time in our Nation's 244-year history. ADAM SCHIFF and House Democrats demanded that the Senate overturn the results of the 2016 Presidential election, remove President Trump from office, and take him off the 2020 ballot. These outcomes would be deeply disruptive to the functioning of our government, would further divide our Nation, and would prevent the American people from deciding who their President should be at the ballot box. The American people collectively are better fit to judge Donald Trump's Presidency as a whole than the partisan politicians in Washington who brought forth this impeachment. Despite the celebrations by NANCY PELOSI and House Democrats, this is a grave and serious matter with implications far beyond this President, this Congress, and this generation.

During the trial, I have remained committed to my oath to administer impartial justice with the same seriousness as my oath to protect the Constitution that I put my life on the line for in uniform. I listened carefully to the presentations by both the House managers and the President's counsel. I researched the law, reviewed historical precedents, and asked questions. I discussed the evidence and the issues with colleagues, and I came to my own conclusion.

The text, history, and purpose of the Constitution support acquittal. Our founding document gives the House the sole power of impeachment and the Senate the sole power to try all impeachments. Further, it requires a two-thirds vote to convict and remove any President. The Founding Fathers were

concerned that impeachment would be frequently used as a partisan political weapon. Because of this concern, they deliberated whether to include Presidential impeachment at all. Then, they considered the scope of the offenses subject to the grievous, divisive, and disruptive punishment of decapitating one branch of our government. At the constitutional convention, the Founders rejected vague, standard-less terms like "malpractice," "neglect of duty," and "maladministration." James Madison, the father of our Constitution, objected that vague terms would be "equivalent to a tenure during the pleasure of the Senate." Madison's view prevailed, and the framers settled on "treason, bribery, or other high crimes and misdemeanors" to minimize the risk of partisan abuse of impeachment.

Madison and the other Founders intended impeachment to be an extremely disruptive last resort to save the Republic. What our constitutional text and tradition teach us is that no President should be impeached and removed from office without the support of both parties and the American people. The reason that President Andrew Johnson avoided conviction in his trial was that a mixed group of both Democrats and Republicans voted to find the President not guilty. Richard Nixon's impeachment inquiry vote passed the House 410 to 4. Senator CHUCK SCHUMER and Speaker NANCY PELOSI used to agree. "I expect history will show that we've lowered the bar on impeachment so much, we've broken the seal on this extreme penalty so cavalierly—that it will be used as a routine tool to fight political battles," SCHUMER said in 1998. "My fear is that when a Republican wins the White House, Democrats will demand payback." Likewise, Speaker PELOSI stated last March: "Impeachment is so divisive to the country that unless there's something so compelling and overwhelming and bipartisan, I don't think we should go down that path because it divides the country." Before a few months ago, the consensus—articulated well by Senator SCHUMER and Speaker PELOSI, was that a partisan impeachment is not a proper impeachment.

The first Article of Impeachment for "abuse of power" does not warrant removal from office and the ballot. The President is not perfect, and the way in which he evidently attempted to address his legitimate concerns about corruption involving the Bidens was inappropriate. But even if all that the House Democrats allege in fact occurred, even if John Bolton supports their allegations in his book, even if other negative information comes out in the future, this does not rise anywhere near the level of throwing the President out of office or off the ballot for the first time in American history. Abuse of power is a vague offense that the House managers have failed to define with precision, but even accepting all the House managers' facts as true,

the alleged conduct does not justify conviction.

The second Article of Impeachment for "obstruction of Congress" is frivolous and dangerous for the separation of powers that is foundational to our Republic. Presidential clashes with Congress are not just routine but are baked into our constitutional DNA. The separation of powers painstakingly negotiated by our Founders is working—and that is a positive thing. The Framers designed tension between the coequal executive and legislative branches of our government. Congress often wants access to everyone and everything in the executive branch. The executive branch, in contrast, has legitimate grounds to prevent certain advisors or documents from being hauled before Congress. This article, if legitimized, would cede unprecedented power to one Chamber and would permit the House to remove a President from office any time that it does not get what it wants from the President, exactly as James Madison feared.

Not only do the two articles fail, but I also cannot in good conscience vote to convict because every step of this slapdash impeachment process has been characterized by a lack of fundamental fairness. I am troubled by the speed and cheerful eagerness with which the House Democrats railroaded through their investigation and vote on the articles. Unlike the Nixon and Clinton impeachments, the investigation into the alleged wrongdoing was hastily conducted and sloppily executed. The House Democrats made it clear that their objective was to impeach the President by Christmas, and they trampled over fairness and well-established legal processes on the way. After initially failing to vote to authorize the inquiry, they went from a vote authorizing an inquiry to impeaching the President in just 48 days.

What is more, the House Intelligence Committee failed to afford the President with procedural rights. The House should have voted to authorize the impeachment before investigating and should have attempted the usual accommodation process to resolve the tensions with the executive branch. The fundamentals of due process also include the right to have counsel present during interviews with investigators, the right to cross-examine witnesses, the right to call your own witnesses, and the right to submit evidence. Here, House Democrats called only their preferred witnesses, and they denied President Trump's counsel the opportunity to be present for examinations. The Democrats conducting the investigation also failed to subpoena individuals whom they now claim are key witnesses. If ADAM SCHIFF genuinely wanted to hear from John Bolton, he should have subpoenaed him, should have allowed the President to assert immunity, and should have gone to the courts to sort out the competing claims. But that wouldn't have fit the House Democrats' rushed timeline or narrative.

Once the process was handed over to the House Judiciary Committee, House Democrats had a single hearing with law professors on December 4 before announcing on December 5 that they were committed to drafting Articles of Impeachment. The committee approved the articles on December 13. To put this in perspective, this meant that the relevant committee spent 1 week drafting the articles before Speaker PELOSI spent 4 weeks sitting on the articles. And on the Senate side, I am likewise concerned that ADAM SCHIFF, House Democrats, and CHUCK SCHUMER demanded that the Senate do the House's job and clean up the House's shoddy work. Democrats have insisted that the Senate subpoena witnesses that the House refused to call and that the Senate shut itself down for weeks or months to allow for an investigation that the House should have conducted before proceeding to a final impeachment vote. The House Democrats showed testimony of 13 witnesses during the trial and submitted 28,000 pages of documents. Having repeatedly stated that their evidence was overwhelming, they then claimed that they needed more witnesses and documents to make their case. You can't have it both ways.

I am particularly troubled that in the Senate, the House managers sought to have the Senate address issues of executive privilege in a way that it has never done before. Executive privilege is a right—asserted by all Presidents of different parties for decades—to prevent close advisers from divulging confidential communications. But now, for the first time in our Nation's history, the Democrats sought to have the Senate displace the judiciary and resolve, by majority vote, highly complicated questions on executive privilege—a task that would raise substantial constitutional and institutional questions.

Even more disturbing was the House and Senate Democrats' casual attempt to drag the Chief Justice of the Supreme Court into this process. With a straight face, ADAM SCHIFF repeatedly called for the Chief Justice to be the decisionmaker on serious and complex issues, as if attempting to remove a President and adjust the relationship between the House and the Senate forever weren't enough. On top of this, Democrats tried to bring the third branch of government into this partisan political exercise with no concern for the seismic implications for our Republic.

Although my vote against convicting President Trump lies with the failure of House Democrats to prove impeachable conduct, I would be remiss if I did not emphasize one crucial fact: The historical record is clear that President Obama was weak on Russia and trivialized the geopolitical threat posed by Putin. In 2009, Obama's Secretary of State presented the Russian Foreign Minister with a "reset" button, grinning alongside him in a photo opportunity. That year, President Obama, at Russia's request, cancelled

plans to build a missile defense system in Eastern Europe. In 2011, an open microphone caught Obama telling Russian President Medvedev that he would "have more flexibility" with easing pressure on Russia—"particularly with missile defense"—after the Presidential election. During the 2012 election, President Obama mocked his opponent for expressing geopolitical concern about Russia. "The 1980s are now calling to ask for their foreign policy back," Obama said. Two years later, Russia annexed Crimea and then invaded eastern Ukraine. Obama refused to provide lethal aid to Ukraine to defend itself and his policies toward Russia were a national security disaster.

In contrast, President Trump has placed unprecedented sanctions on Russia and provided lethal weapons like the Javelin anti-tank missile to Ukraine to defend itself. Several of the House managers who attempted to remove President Trump for a minor delay in security-assistance funding, which was separate from the Javelin missile purchases, voted against providing lethal aid to Ukraine in multiple defense authorization and funding bills. Should we have impeached Obama for not providing lethal aid to Ukraine? No. It was bad policy and weak compared to what Trump has done but not impeachable.

This Presidential impeachment is historic for dangerous reasons. It is the first partisan House impeachment with bipartisan opposition. It is the first to deny procedural fairness protections to the President during the House inquiry. It is disturbing because this entire matter should have been handled via the normal oversight processes available to Congress with subpoena disputes resolved in the courts.

With all the above in mind, I conclude that the President did not engage in conduct rising to the level of treason, bribery, or other high crimes and misdemeanors. Democrats have been trying to impeach President Trump repeatedly since he was elected. They filed eight impeachment resolutions for everything from undermining the freedom of the press to using insulting language.

Our country has a Presidential election in 9 months, with the first votes in Iowa already completed. The American people deserve to be represented by the President they elected. They also deserve to choose who is the President for the next 4 years. While I have concerns about the upcoming 9 months, I am likewise concerned about the next 90 years. Looking at the process that unfolded in the House and the constitutional contortionism that the Democrats displayed in the Senate, it would be a dangerous precedent to normalize how House Democrats have carried out this process. If rewarded, this precedent would trivialize impeachment, distort the relationship between the two Chambers, and forever alter the relationship among the three branches. In the future, any House controlled by

the opposite party of the President could trample on due process, ram through an unfair impeachment for vague accusations, and demand that the Senate shut down its legislative work to investigate on behalf of the House. No future House of Representatives run by Democrats or Republicans should take this path.

I have heard it said repeatedly throughout this trial that Benjamin Franklin left Americans "a Republic—if you can keep it." I vote to keep it.

#### TRIBUTE TO JACQUELINE WICECARVER

Mr. BOOZMAN. Mr. President, it is my honor to pay tribute to an exceptional leader and member of the Senior Executive Service of the Department of Defense Office of Inspector General, Ms. Jacqueline Wicecarver.

A native of Rector, AR, Jackie joined the Department of Defense in 1978 as a member of the U.S. Army Materiel Command in Rock Island, IL. Within the next 10 years, Jackie and her family moved five times. During this time, Jackie held a variety of positions within the Department of Defense and received high praise in each position for her exceptional level of professionalism, dedication to duty, and outstanding contributions to the mission.

In 1990, Jackie joined the Department of Defense Office of Inspector General as a staff auditor and rose through the ranks, joining the Senior Executive Service as the Assistant Inspector General for Acquisition and Contract Management in 2011. In January 2017, she was selected to lead nearly 600 auditors and support personnel as the Deputy Inspector General for Audit.

In her role as the Deputy Inspector General for Audit, Jackie has provided guidance, counsel, and mentorship to many auditors as they worked to complete more than 320 audit reports that identified over \$7 billion in potential savings to the Department of Defense. Most significantly, under Jackie's direction, the Office of Inspector General completed two full financial statement audits of the Department of Defense. These financial statement audits have been described as the largest in history.

Jackie has been honored with the Department of Defense Inspector General Medal for Distinguished Civilian Service Award, the Meritorious Civilian Service Award, and the President's Council on Integrity and Efficiency Award.

Jackie has served her country for more than 40 years as a Department of Defense civilian. On behalf of the Senate, I thank Jackie and her family—her husband James of 50 years, their children Christopher and Jennifer and four grandchildren, Caitlyn, Wade, Tate and Quinn—for their continued commitment and sacrifice in service to our Nation. I wish her future success as she transitions into retirement.