

all women and children, grandmothers, mothers, aunts—the men staying behind to fight.

This war is taking away these kids' childhoods and replacing them with war-torn memories. Those children who fled Ukraine in the early stages of the war are now growing up, making friends, and going to schools in foreign countries. Seven or 8 million Ukrainians left Ukraine. They are far from home, and they want to go home.

And those who stayed in Ukraine are in constant fear that the next Russian missile may hit their home, their town, their city. Many will never have the opportunity to get their childhood back.

First lady Olena Zelenska has even started her own initiative to address the serious mental health impacts of Russia's war against her country. Although underreported in most media outlets, Russia has forcibly deported millions of Ukrainians to Russia or Russian-controlled territory in the Donbas, including hundreds of thousands of children.

Once outside of Ukrainian territory, these children are taught to be Russian, not Ukrainian, in a deliberate attempt by Russia to wipe out the national and cultural identity of Ukrainians.

Combined with Russia's consistent denial of the existence of Ukraine's nationhood and identity, these actions must be acknowledged for what they are: genocide. And it is important that the United States and the rest of the world recognize these acts as such.

That is one reason why the world must call out Russia for what is happening in Ukraine. Last Thursday, five Senate colleagues and I joined Senator Risch, the top Republican on the Senate Foreign Relations Committee, on which I served, in introducing a bipartisan resolution condemning Russia's actions in Ukraine as genocide.

I know "genocide" is a really powerful word. It has a long history, and it has serious implications. Many people are understandably hesitant to use it. But the facts in Russia's atrocities are clearly genocide.

Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide defines genocide as any of several acts "committed with intent to destroy, in whole or in part, a national, ethnic, racial, or religious group."

Two of the acts in the definition are "killing members of the group" and "causing bodily or mental harm to members of the group." Only one of those criteria is necessary for genocide. Russia all too clearly fits all of these parts of the definition of genocide.

Its forces have killed and wounded innocent civilians all across Ukraine. Last week, I spoke about little Liza who was killed in Vinnytsia. This is the aftermath of the bombing in Vinnytsia. I have also heard about the "target practice" that Russian soldiers have bragged about that they did in

Severodonetsk, shooting at innocent civilians like it was some kind of a game.

And we cannot forget the horrors of Bucha, where Russian forces massacred over 1,300 innocent civilians, some with hands tied behind their backs. This included 31 children. And the mental toll of this war has, of course, also been extreme.

Our Senate resolution also includes a clause about my resolution from 2018 commemorating the 85th anniversary of Holodomor, the Soviet Union's famine genocide against Ukraine from 1932 to 1933. Unfortunately, Russia has a history of committing genocide against the people of Ukraine, and that continues to this day.

The world needs to let the Russian commanders and the Kremlin officials know we see the war crimes being committed, and they are being recorded. Perhaps that would have some sort of effect on what actions they take.

The trickle-down effects of this war are heart-wrenching. We have all seen the images, the videos on social media of innocent civilians caught in the crossfire. But not only that, it is what this war has created: the countless children who are now orphans.

I have talked about this in the past, but according to Under Secretary of State Victoria Nuland:

Russia makes orphans, and then steals those orphans, up to 1,000 Ukrainian kids being stolen and taken and given to Russian families to potentially never be found by their families.

That is very concerning. Let me say that again. She is saying that Russia takes these orphans and steals them and gives them to Russian families to potentially never be found by their Ukrainian families.

So there are all these young boys and young girls who watch their fathers and their brothers and their uncles and, sometimes, their moms go to war. Many of them never come back home.

There are young boys like Ms. Zelenska's, a 9-year-old, who now wants to be a soldier. And there are the children who will never be with their family in Ukraine again.

That is where we are today. A merciless authoritarian who needs to flex his power against a nation that just wants to live peacefully—nothing more than to live in peace with their neighbors.

This is a struggle between freedom and democracy and self-determination on the one hand and aggression and conquest and tyranny, authoritarianism on the other.

Our choice is clear. At this critical juncture, let's continue to work with our allies to provide Ukraine with what they need to protect that homeland, to defend that democracy. We need to help Ukraine, and we need to do more, and we need to do it now. We need to move quickly. We need to live up to these important words from Ukraine's First Lady last week. When she was here in the Congress talking to us, she said "While Russia kills, America saves."

Let's continue to save. Let's continue to save lives every day, and let's save our democratic ally Ukraine—a proud nation that is simply fighting for its survival.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The majority leader.

MORNING BUSINESS

ARMS SALES NOTIFICATION

Mr. MENENDEZ. 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,
Washington, DC.

Hon. ROBERT MENENDEZ,
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. 22-49, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$235 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,

JEDIDIAH P. ROYAL
(For James A. Hursch, Director).

Enclosures.

TRANSMITTAL NO. 22-49

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 Australia.

(ii) Total Estimated Value:
Major Defense Equipment * \$157 million.
Other \$78 million.
Total \$235 million.

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

Major Defense Equipment (MDE):
Eighty (80) Joint Air-to-Surface Standoff Missiles—Extended Range (JASSM-ER) (AGM-158B with telemetry kits and/or AGM-158B-2 configurations).

Non-MDE: Also included are missile containers and support equipment; JASSM training missiles; weapon system support; spare parts, consumables, accessories, and

repair/return support; integration and test support and equipment; personnel training; software delivery and support; classified and unclassified publications and technical documentation; transportation; U.S. Government and contractor engineering, technical and logistics support services, studies and surveys; and other related elements of logistical and program support.

(iv) Military Department: Air Force (AT-D-YAK).

(v) Prior Related Cases, if any: AT-D-QAR.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None known at this time.

(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: July 21, 2022.

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

POLICY JUSTIFICATION

Australia—Joint Air-to-Surface Standoff Missiles—Extended Range (JASSM-ER)

The Government of Australia has requested to buy eighty (80) Joint Air-to-Surface Standoff Missiles—Extended Range (JASSM-ER) (AGM-158B with telemetry kits and/or AGM-158B-2 configurations). Also included are missile containers and support equipment; JASSM training missiles; weapon system support; spare parts, consumables, accessories, and repair/return support; integration and test support and equipment; personnel training; software delivery and support; classified and unclassified publications and technical documentation; transportation; U.S. Government and contractor engineering, technical and logistics support services, studies and surveys; and other related elements of logistical and program support. The estimated total cost is \$235 million.

This proposed sale will support the foreign policy and national security objectives of the United States. Australia is one of our most important allies in the Western Pacific. The strategic location of this political and economic power contributes significantly to ensuring peace and economic stability in the region. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

The proposed sale will improve Australia's capability to meet current and future threats by providing advanced, long-range strike systems for employment from Royal Australian Air Force (RAAF) air platforms including, but not limited to, the F/A-18F Super Hornet and F-35A Lightning II. Australia 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 will be Lockheed Martin, Orlando, FL. 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 or contractor representatives to Australia.

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

TRANSMITTAL NO. 22-49

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 AGM-158B/B-2 Joint Air-to-Surface Standoff Missiles (JASSM) with Extended

Range (ER) are low-observable, highly-survivable, subsonic cruise missiles designed to penetrate next-generation air defense systems en-route to target. The JASSM-ER is designed to kill hard, medium-hardened, soft and area-type targets. A turbo-fan engine and reconfigured fuel tanks provide added capacity.

a. The AGM-158B-2 system capabilities include all the capabilities of the AGM-158B. The AGM-158B-2 configuration will have different internal components to address multiple obsolescence issues as well as sub-component updates to position for M-Code and other potential upgrades.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

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 Australia can provide substantially 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.

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

ARMS SALES NOTIFICATION

Mr. MENENDEZ, 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,
Washington, DC.

Hon. ROBERT MENENDEZ,
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. 22-01 concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost \$397 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,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 22-01

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 Kuwait.

(ii) Total Estimated Value:
Major Defense Equipment * \$222 million.
Other \$175 million.
Total \$397 million.

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

Major Defense Equipment (MDE):

Sixty (60) AIM-120 C-7/8 Advanced Medium Range Air-to-Air Missiles (AMRAAMs).

Two hundred fifty (250) MK-84 General Purpose 2000LB Bombs.

Five hundred one (501) MK-83 General Purpose 1000LB Bombs.

Three hundred fifty (350) KMU-556 Joint Direct Attack Munition (JDAM) Tail Kits for GBU-31V1 2000LB Bombs.

Seven hundred two (702) MXU-667 Air Foil Groups (AFG) for GBU-48 Enhanced Paveway II (EPW-II) 1000LB Bombs.

Seven hundred two (702) MAU-210 Enhanced Computer Control Groups (ECCG) for GBU-48 Enhanced Paveway II (EPW-II) 1000LB Bombs

Non-MDE: Also included are FMU-139 Joint Programmable Fuze Systems; AMRAAM containers; weapons support and software; inert munitions, trainers, and training equipment; bomb components; spare and repair parts; personnel training and training equipment; publications and technical documentation; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistical and program support.

(iv) Military Department: Air Force (KU-D-YAE).

(v) Prior Related Cases, if any: KU-D-AAC, KU-D-YAB, KU-D-YAC, KU-D-YAD.

(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: July 21, 2022.

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

POLICY JUSTIFICATION

Kuwait—Advanced Weapons in Support of Eurofighter Typhoon Aircraft Program

The Government of Kuwait has requested to buy sixty (60) AIM-120 C-7/8 Advanced Medium Range Air-to-Air Missiles (AMRAAMs); two hundred fifty (250) MK-84 General Purpose 2000LB bombs; five hundred one (501) MK-83 General Purpose 1000LB bombs; three hundred fifty (350) KMU-556 Joint Direct Attack Munition (JDAM) tail kits for GBU-31V1 2000LB bombs; seven hundred two (702) MXU-667 Air Foil Groups (AFG) for GBU-48 Enhanced Paveway II (EPW-II) 1000LB bombs; and seven hundred two (702) MAU-210 Enhanced Computer Control Groups (ECCG) for GBU-48 Enhanced Paveway II (EPW-II) 1000LB bombs. Also included are FMU-139 Joint Programmable Fuze Systems; AMRAAM containers; weapons support and software; inert munitions, trainers, and training equipment; bomb components; spare, repair parts; personnel training and training equipment; publications and technical documentation; U.S. Government and contractor engineering, technical, and logistics support services; and other related elements of logistical and program support. The estimated total cost is \$397 million.

This proposed sale will support the foreign policy and national security objectives of