

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. BROWN. Mr. 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.

## 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. 23-02, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$895 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

MIKE MILLER  
(For James A. Hursch, Director).

Enclosures

TRANSMITTAL NO. 23-02

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 \* \$526 million.  
Other \$369 million.  
Total \$895 million.

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

Major Defense Equipment (MDE):

Up to two hundred (200) Tomahawk Block V All Up Rounds (AUR)(RGM-109E).

Up to twenty (20) Tomahawk Block IV All Up Rounds (AUR)(RGM-109E).

Non-MDE: Also included is support for all three segments of Australia's Tomahawk

Weapon System (TWS) to include the All Up Round (AUR), the Tactical Tomahawk Weapon Control System (TTWCS) and the Theater Mission Planning Center (TMPC). The support consists of unscheduled missile maintenance; spares; procurement; training; in-service support; software; hardware; communication equipment; operational flight test; engineering and technical expertise to maintain the TWS capability; and other related elements of logistical and program support.

(iv) Military Department: Navy (AT-P-LGJ).

(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: March 16, 2023.

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

## POLICY JUSTIFICATION

## Australia—Tomahawk Weapon System

The Government of Australia has requested to buy up to two hundred (200) Tomahawk Block V All Up Rounds (AUR) (RGM-109E); and up to twenty (20) Tomahawk Block IV All Up Rounds (AUR) (RGM-109E). Also included is support for all three segments of Australia's Tomahawk Weapon System (TWS) to include the All Up Round (AUR), the Tactical Tomahawk Weapon Control System (TTWCS) and the Theater Mission Planning Center (TMPC). The support consists of unscheduled missile maintenance; spares; procurement; training; in-service support; software; hardware; communication equipment; operational flight test; engineering and technical expertise to maintain the TWS capability; and other related elements of logistical and program support. The estimated total cost is \$895 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 interoperate with U.S. maritime forces and other allied forces as well as its ability to contribute to missions of mutual interest. By deploying the Tomahawk Weapon System, Australia will contribute to global readiness and enhance the capability of U.S. Forces operating alongside them globally. Australia will use the enhanced capability as a deterrent to regional threats and to strengthen its homeland defense. 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 prime U.S. contractor will be Raytheon Missiles and Defense, Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require multiple trips by U.S. Government representatives and contractor personnel to visit Australia on a temporary basis over the life of the case to support delivery and integration of items and to provide supply support management, inventory control, and equipment familiarization. Visits will also include program and technical reviews.

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

TRANSMITTAL NO. 23-02

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 Block IV/V All Up Round (AUR) consists of the RGM-109E Tomahawk cruise missile assembled in a canister for surface launch. Tomahawk Block IV/V capabilities include, increased system flexibility, improved system response times, improved lethality against an increased target set, improved accuracy, improved Anti-Jam GPS Receiver (AGR) with Selective Availability Anti-Spoofing Module (SAASM) capability, enhanced availability due to a 15-year maintenance interval and two-way communications between missile and Strike/Missile Controllers via Ultra High Frequency (UHF) Satellite Communications (SATCOM). The two-way communication capability, provided by the Satellite Data Link Terminal (SDLT) enables Mission Planners and the Strike/Missile Controller to issue in-flight missile re-targeting commands, receive in-flight missile Health & Status (H&S) transmissions, obtain Battle Damage Indication (BDI) data and obtain single-frame Battle Damage Indication Imagery (BDII) using the onboard camera that is part of the Digital Scene Matching Area Correlator (DSMAC) Sensor Assembly (DSA).

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 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. 23-23, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Poland for defense articles and services estimated to cost \$150 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

MIKE MILLER

(For James A. Hursch, Director).

Enclosures.

TRANSMITTAL NO. 23-23

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: Republic of Poland.

(ii) Total Estimated Value:

Major Defense Equipment \* \$125 million.

Other \$25 million.

Total \$150 million.

Funding Source: National Funds.

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

Major Defense Equipment (MDE):

Eight hundred (800) AGM-114R2 Hellfire Missiles.

Four (4) M36 Hellfire Captive Air Training Missiles (CATM).

Non-MDE: Also included is Tactical Aviation Ground Munition Program Office technical assistance; Security Assistance Management Directorate technical assistance; Joint Attack Munition Systems technical assistance; Classified and Unclassified publications; spare parts; repair and return; storage; and other related elements of logistics and program support.

(iv) Military Department: Army (PL-B-UDZ).

(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: March 16, 2023.

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

POLICY JUSTIFICATION

Poland—Hellfire Missiles

The Republic of Poland has requested to buy eight hundred (800) AGM-114R2 Hellfire missiles; and four (4) M36 Hellfire Captive Air Training Missiles (CATM). Also included is Tactical Aviation Ground Munition Program Office technical assistance; Security Assistance Management Directorate technical assistance; Joint Attack Munition Systems technical assistance; Classified and Unclassified publications; spare parts; repair and return; storage; and other related elements of logistics and program support. The total estimated cost is \$150 million.

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

The proposed sale will improve Poland's military goals of updating capability while further enhancing interoperability with the United States and other allies. Poland in-

tends to use these defense articles and services to modernize its armed forces and expand its capability to strengthen its homeland defense and deter regional threats. Poland 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 Corporation, 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 Poland.

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

TRANSMITTAL NO. 23-23

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 Hellfire AGM-114R2 is a precision strike, semi-active laser-guided missile and is the principal air-to-ground weapon for the U.S. Army AH-64 Apache. The Hellfire R model incorporates a multi-purpose warhead with selectable effects appropriate for engagement of a wide range of targets including heavily or lightly armored targets, thin-skinned vehicles, urban structures, caves, and personnel.

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 Poland 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 Poland.

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. 23-06, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Romania for defense articles and services estimated to cost \$104 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

MIKE MILLER

(For James A. Hursch, Director).

Enclosures.

TRANSMITTAL NO. 23-06

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 Romania.

(ii) Total Estimated Value:

Major Defense Equipment \* \$47.0 million.

Other \$57.0 million.

Total \$104.0 million.

Funding Source: National Funds.

(iii) Description and Quantity or Quantities of Articles or Services Under Consideration for Purchase: Foreign Military Sales (FMS) case RO-B-UFL, was below congressional notification threshold at \$43.73 million (\$11.41 million in MDE) and included thirty-four (34) Heavy Gun Carriers Joint Light Tactical Vehicles (JLTVs). The Government of Romania has requested the case be amended to include an additional ninety-five (95) Heavy Gun Carriers JLTVs. This amendment will push the current case above the MDE and total case value notification thresholds and thus requires notification of the entire case.

Major Defense Equipment (MDE):

One hundred twenty-nine (129) M1278A1 Heavy Gun Carriers Joint Light Tactical Vehicles (JLTVs)

Non-MDE: Also included are VRC-104 radio kits; VRC-114 radio kits; baseline integration kits; basic issue items; Defense Advanced GPS Receivers (DAGRs); DAGR integration kits; network switch ports; exportable power kits; silent watch energy storages; power expansion kits; RF7800i intercom kits; combat bumper kits; winch kits; flat tow kits; run flat kits; spare tire kits; commander supply display units; improved turret drive systems; M114 turret ring hatches; 2-year contractor spare parts package; technical assistance; total package fielding; technical publications/manuals; and other related elements of logistics and program support.

(iii) Military Department: Army (RO-B-UFL).

(iv) Prior Related Cases, if any: None.

(v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vi) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(vii) Date Report Delivered to Congress: March 14, 2023.

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

POLICY JUSTIFICATION

Romania—M1278A1 Heavy Gun Carriers  
Joint Light Tactical Vehicles (JLTVs)

The Government of Romania has requested to buy an additional ninety-five (95) Heavy