

Convention), first aid kits, artillery and ammunition, helicopters, unmanned aerial systems, machine guns, tactical gear, night vision devices, personal protective equipment, spare parts, and various calibers of ammunition.

(U) Although U.S. security assistance has improved Ukraine's overall defense posture and capabilities, Ukraine requires urgent support to enable it to continue resisting and repelling Russia's ongoing invasion. The U.S. multi-year security assistance effort is designed to help Ukraine build a sustainable defense capacity over the long term, while defense articles provided through emergency arms transfers under section 36(b)(1) of the Arms Export Control Act would address its most pressing defense needs in response to Russia's aggression.

(U) In the midst of the ongoing conflict, a critical need has surfaced requiring the immediate transfer of these defense articles in order for Ukraine to maintain its ability to prevent Russian gains. One Ukraine HIMARS system has recently been lost to enemy action, and several more are in various states of functionality due to maintenance concerns. Meanwhile, Russia has shown no sign of easing up on an ongoing ground offensive into sovereign Ukrainian territory, and numbers of Ukrainian long-range artillery systems are reaching critical levels. The United States and its partners are struggling to continue to supply and maintain the long-range artillery systems at the tempo of operations demanded by the ongoing Russian invasion. The HIMARS capability has proven extremely effective against the ground forces Russia is employing, and the systems are in constant use—requiring, at this time, immediate replacement and refurbishment.

(U) It is in the United States' national security interest to swiftly provide Ukraine with the defensive capabilities it requires. In order to effectively do so and ensure continued defense of its territory, Ukraine has an immediate need for these defense articles and services for replacement of HIMARS. This transfer will allow immediate replacement of the destroyed HIMARS, as well as the ability to pull other HIMARS off the front lines to perform maintenance without losing critical firepower in the defense. The urgency of this requirement has been validated by the Department of Defense in consultation with the Department of State. These items and services are readily available in Department of Defense stock and can be quickly transferred to Ukraine. The immediacy of the challenge at hand requires overcoming the statutory 60-day Congressional notification timeline to immediately expedite transfers to Ukraine.

(U) For the reasons provided above, an emergency exists requiring immediate provision of these defense articles to Ukraine in the national security interest of the United States. This transfer, through a Foreign Military Sale, will provide Ukraine as soon as possible with defense articles necessary to allow it to defend itself against Russia's armed aggression. The Secretary of State, therefore, has certified an emergency exists under section 36(b)(1) of the Arms Export Control Act, 22 U.S.C. 2776, thereby waiving the congressional review requirement of that provision.

TRANSMITTAL NO. 24-59

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 Ukraine.

(ii) Total Estimated Value:

Major Defense Equipment* \$30 million.

Other \$0.

Total \$30 million.

Funding Source: National Funds.

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

Major Defense Equipment (MDE):

Three (3) High Mobility Artillery Rocket Systems (HIMARS).

Non-MDE: None.

(iv) Military Department: Army (JU-B-UAD).

(v) Prior Related Cases, if any : NB-B-VSB, NB-B-VCC, NW-B-VIA (USAI Cases).

(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: May 10, 2024.

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

POLICY JUSTIFICATION

Ukraine—High Mobility Artillery Rocket Systems

The Government of Ukraine has requested to buy three (3) High Mobility Artillery Rocket Systems (HIMARS). The estimated total cost is \$30 million, which will be funded by another partner country on behalf of Ukraine.

The Secretary of State has determined and provided detailed justification that an emergency exists that requires the immediate sale to the Government of Ukraine of the above defense articles and services in the national security interests of the United States, thereby waiving the congressional review requirements under Section 36(b) of the Arms Export Control Act, as amended.

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

Ukraine has an urgent need to increase its long-range, precision fires capabilities. Procurement of additional HIMARS will enhance Ukraine's ability to defend itself and respond to continued Russian aggression.

This will be a sale from U.S. Army inventory. 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 Ukraine.

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

TRANSMITTAL NO. 24-59

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 M142 High Mobility Artillery Rocket System (HIMARS) is a C-130 transportable wheeled launcher mounted on a 5-ton Family of Medium Tactical Vehicles truck chassis. HIMARS is the modern Army-fielded version of the Multiple Launch Rocket System (MLRS) M270 launcher and can fire all of the MLRS Family of Munitions (FOM), including Guided Multiple Launch Rocket System variants and the Army Tactical Missile System. The HIMARS can engage targets between 15 and 300 kilometers with GPS-aided precision accuracy using the MLRS FOM.

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 infor-

mation 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 Ukraine 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.

5. All defense articles and services listed in this transmittal are authorized for release and export to Ukraine.

TRIBUTE TO ADRIAN KLADAKIS

Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Adrian for his hard work as an intern in the Energy and Natural Resources Committee. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Adrian is a native of Virginia. He is currently a senior at Flint High School in Oakton, VA. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Adrian for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.

ADDITIONAL STATEMENTS

TRIBUTE TO CATHERINE IVY

• Mr. KELLY. Mr. President, today, during Brain Tumor Awareness Month, I rise to recognize Catherine Ivy, the president and founder of the Ben & Catherine Ivy Foundation in Scottsdale, AZ. Mrs. Ivy started the foundation in 2005 with her late husband Ben after he was diagnosed with glioblastoma. Since then, the Ben & Catherine Ivy Foundation has been committed to finding a cure for brain cancer through funding for patient-focused research.

Mrs. Ivy is a resident of Paradise Valley, AZ, and has been a dedicated member of her community. She has served on the Mayo Clinic Arizona Leadership Council, the board of directors of the Translational Genomics Research Institute—TGen—and the Advisory Board of the Barrow Neurological Institute—all among the most acclaimed research institutions in our State. The Ben & Catherine Ivy Foundation has donated over \$150 million to support brain tumor research and facilitate the creation of the Ivy Brain Tumor Center in Phoenix, AZ. Because of Mrs. Ivy, cancer patients across our State and the country are gaining a real chance to beat this terrible disease.

The Ben & Catherine Ivy Foundaiaon is a testament to how impactful cancer research can be and why it is so important that we continue to fund it. In this body, I think that is something we can agree on, especially considering the same cancer that took Ben Ivy also took Senator John McCain. It is in the same fighting spirit of Senator McCain that Mrs. Ivy works to support bold projects that may feel like a long shot but also hold great scientific promise. There can only be reward if you take the risk.

We won't beat cancer without a faithful commitment to scientific advancement. In Phoenix, this commitment is growing strong. I want to thank Mrs. Ivy for that. Her contributions to brain cancer research will yield successful, life-prolonging treatments for patients for years to come. Our State and its residents owe Mrs. Ivy a debt of gratitude.●

MESSAGE FROM THE HOUSE

At 11:45 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 546. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize law enforcement agencies to use COPS grants for recruitment activities, and for other purposes.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4814. An act to direct the Consumer Product Safety Commission to establish a pilot program to explore the use of artificial intelligence in support of the mission of the Commission and to direct the Secretary of Commerce and the Federal Trade Commission to study and report on the use of blockchain technology and tokens, respectively.

H.R. 5390. An act to direct the Secretary of Commerce to conduct a study on the feasibility of manufacturing in the United States products for critical infrastructure sectors, and for other purposes.

H.R. 6132. An act to require the Consumer Product Safety Commission to promulgate a mandatory consumer product safety standard with respect to retractable awnings.

H.R. 7659. An act to authorize and amend authorities, programs, and statutes administered by the Coast Guard.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 106. Concurrent resolution expressing support for local law enforcement officers and condemning efforts to defund local law enforcement agencies.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4814. An act to direct the Consumer Product Safety Commission to establish a pilot program to explore the use of artificial intelligence in support of the mission of the

Commission and to direct the Secretary of Commerce and the Federal Trade Commission to study and report on the use of blockchain technology and tokens, respectively; to the Committee on Commerce, Science, and Transportation.

H.R. 5390. An act to direct the Secretary of Commerce to conduct a study on the feasibility of manufacturing in the United States products for critical infrastructure sectors, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 6132. An act to require the Consumer Product Safety Commission to promulgate a mandatory consumer product safety standard with respect to retractable awnings; to the Committee on Commerce, Science, and Transportation.

H.R. 7659. An act to authorize and amend authorities, programs, and statutes administered by the Coast Guard; to the Committee on Commerce, Science, and Transportation.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 106. Concurrent resolution expressing support for local law enforcement officers and condemning efforts to defund local law enforcement agencies; to the Committee on the Judiciary.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4523. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notices: Energy Community Bonus Credit Amounts Under the Inflation Reduction Act of 2022" (Notice 2023-45) received during adjournment of the Senate in the Office of the President of the Senate on May 5, 2024; to the Committee on Finance.

EC-4524. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Transfer of Certain Credits" (RIN1545-BQ64) received during adjournment of the Senate in the Office of the President of the Senate on May 5, 2024; to the Committee on Finance.

EC-4525. A communication from the Senior Regulatory and Policy Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Foster Care Legal Representation" (RIN0970-AC89) received in the Office of the President of the Senate on April 30, 2024; to the Committee on Finance.

EC-4526. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Imposition of Import Restrictions on Archaeological and Ethnological Material of Pakistan" ((RIN1515-AE82) (CBP Dec. 24-09)) received in the Office of the President of the Senate on April 26, 2024; to the Committee on Finance.

EC-4527. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice on the Geographic Requirements for Section 30C, Alternative Fuel Vehicle Refueling Property Credit" (Notice 2024-20) received during ad-

journment of the Senate in the Office of the President of the Senate on May 5, 2024; to the Committee on Finance.

EC-4528. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notices: Energy Community Bonus Credit Amounts Under the Inflation Reduction Act of 2022" (Notice 2024-30) received during adjournment of the Senate in the Office of the President of the Senate on May 5, 2024; to the Committee on Finance.

EC-4529. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Advanced Manufacturing Investment Credit" (RIN1545-BQ54) received during adjournment of the Senate in the Office of the President of the Senate on May 5, 2024; to the Committee on Finance.

EC-4530. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Definition of Energy Property and Rules Applicable to the Energy Credit" (RIN1545-BO40) received during adjournment of the Senate in the Office of the President of the Senate on May 5, 2024; to the Committee on Finance.

EC-4531. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 45V Credit for Production of Clean Hydrogen; Section 48(a)(15) Election to Treat Clean Hydrogen" (RIN1545-BQ97) received during adjournment of the Senate in the Office of the President of the Senate on May 5, 2024; to the Committee on Finance.

EC-4532. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on Medicaid Drug Review and Utilization required by section 1004 of the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act"; to the Committee on Finance.

EC-4533. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Drug Price Negotiation Program: Draft Guidance, Implementation of Sections 1191-1198 of the Social Security Act for Initial Price Applicability Year 2027 and Manufacturer Effectuation of the Maximum Fair Price in 2026 and 2027" received in the Office of the President of the Senate on May 8, 2024; to the Committee on Finance.

EC-4534. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Medicare National Coverage Determinations for Fiscal Year 2023"; to the Committee on Finance.

EC-4535. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Medicare National Coverage Determinations for Fiscal Year 2022"; to the Committee on Finance.

EC-4536. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Clarifying the Eligibility of Certain Non-citizens for Insurance Affordability Programs" (RIN0938-AV23) received in the Office of the President of the Senate on May 1, 2024; to the Committee on Finance.