

Like others in this Chamber, she was a vocal and steadfast supporter of Violence Against Women Act and our most recent efforts to reauthorized and expand those lifesaving programs. She led the efforts to ensure that the Affordable Care Act made clear that no one should be discriminated against in preventive care. Who can forget her fierce advocacy to make the letter of the law clear that being a woman is not a pre-existing condition?

And when BARBARA assumed the mantle chairing the Appropriations Committee, she brought with her the tough but fair grit that has been her hallmark in the Senate. When asked about earmarks, her retort was simple: "I've told senators that if you're opposed to earmarks, I'll honor that and won't include any for your state." You always know where you stand with BARBARA MIKULSKI.

Thirty years ago, when she first came to the Senate, women filled just two seats in this body. When the Senate convenes next year, there will be 21. I hope it won't be another 30 years for the Senate to be truly representative of the country we serve.

A lifelong Baltimore resident, "Senator Barb" has never forgotten her roots, probably because she never left. She remains a Marylander through and through, dedicated to her State and never forgetting that listening to your constituents is the most important job of all. When Senator MIKULSKI announced her retirement, she told her constituents that the question came down to whether she wanted to spend her time "raising money or raising hell to meet your day-to-day needs?" That is BARBARA. This rang through in her farewell speech today to the Senate.

We often talk of the lions of the Senate. BARBARA MIKULSKI ranks among them. I will miss her fierce advocacy, her counsel, her commitment, her tenacity, and her grit. I value her friendship, and we will miss her.

#### ARMS SALES NOTIFICATION

Mr. CORKER. 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.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
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. 16-31, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance for the Kingdom of Saudi Arabia for defense articles and services estimated to cost \$3.51 billion. 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 WORM, Acting Deputy Director,  
(For J. W. Rixey, Vice Admiral, USN,  
Director).

Enclosures.

TRANSMITTAL NO. 16-31

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: The Kingdom of Saudi Arabia.

(ii) Total Estimated Value:

Major Defense Equipment\* \$2.60 billion.

Other \$ .91 billion.

Total \$3.51 billion.

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

Major Defense Equipment (MDE):

Forty-eight (48) CH-47F Chinook Cargo Helicopters.

One hundred twelve (112) T55-GA-714A Engines (ninety-six (96) installed, sixteen (16) spares).

One hundred sixteen (116) Embedded Global Positioning System (GPS) Inertial Navigation Systems (EGI) (ninety-six (96) installed, twenty (20) spares).

Fifty-eight (58) AN/AAR-57 Common Missile Warning Systems (CMWS) (forty-eight (48) installed, ten (10) spares).

Forty-eight (48) M240H 7.62mm Machine Guns with spare parts.

Non-MDE: This request also includes the following Non-MDE: M134D Mini-Guns or equivalent type guns with support equipment and training; Aircraft Survivability Equipment (AN/APR-39A(V) 1/4, AN/AVR-2B, AN/ARC-231, AN/ARC-201D, AN/APX-123A, ARN-147 VOR/ILS, ARN-153 TACAN, APN-209, IDM-401 Improved Data Modem, and AN/ARC-220); Infrared Signature Suppression System (IRSS); Fast Rope Insertion Extraction System (FRIES); Extended Range Fuel System (ERPS); Ballistic Armor Protection System; facilities; air worthiness support; spares and repair parts; communications equipment; personnel training and training equipment; site surveys; tool and test equipment; Ground Support Equipment (GSE); repair and return; publications and technical documentation; Quality Assurance Team (QAT); U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistics and program support.

(iv) Military Department: Army (SR-B-ZAG).

(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 Annex attached.

(vii) Prior Related Case, if any: None.

(viii) Date Report Delivered to Congress: December 7, 2016.

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

#### POLICY JUSTIFICATION

Kingdom of Saudi Arabia—CH-47F Chinook Cargo Helicopters

The Kingdom of Saudi Arabia has requested a possible sale of:

Major Defense Equipment (MDE):

Forty-eight (48) CH-47F Chinook Cargo Helicopters.

One hundred twelve (112) T55-GA-714A Engines (ninety-six (96) installed, sixteen (16) spares).

One hundred sixteen (116) Embedded Global Positioning System (GPS) Inertial Navigation Systems (EGI) (ninety-six (96) installed, twenty (20) spares).

Fifty-eight (58) AN/AAR-57 Common Missile Warning Systems (CMWS) (forty-eight (48) installed, ten (10) spares).

Forty-eight (48) M240H 7.62mm Machine Guns with spare parts.

Non-MDE: This request also includes the following Non-MDE: M134D Mini-Guns or equivalent type guns with support equipment and training; Aircraft Survivability Equipment (AN/APR-39A(V) 1/4, AN/AVR-2B, AN/ARC-231, AN/ARC-201D, AN/APX-123A, ARN-147 VOR/ILS, ARN-153 TACAN, APN-209, IDM-401 Improved Data Modem, and AN/ARC-220); Infrared Signature Suppression System (IRSS); Fast Rope Insertion Extraction System (FRIES); Extended Range Fuel System (ERPS); Ballistic Armor Protection System; facilities; air worthiness support; spares and repair parts; communications equipment; personnel training and training equipment; site surveys; tool and test equipment; Ground Support Equipment (GSE); repair and return; publications and technical documentation; Quality Assurance Team (QAT); U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistics and program support. The total overall estimated value is \$3.51 billion.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a strategic partner which has been and continues to be a leading contributor of political stability and economic progress in the Middle East. This sale will increase the Royal Saudi Land Forces Aviation Command's (RSLFAC) interoperability with U.S. forces and convey U.S. commitment to Saudi Arabia's security and armed forces modernization.

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

The proposed sale of the CH-47F aircraft will improve Saudi Arabia's heavy lift capability. Saudi Arabia will use this enhanced capability to strengthen its homeland defense and deter regional threats. Saudi Arabia will have no difficulty absorbing these aircraft into its armed forces.

The prime contractors will be The Boeing Military Aircraft Company, Ridley Park, Pennsylvania, and Honeywell Aerospace Company, Phoenix, Arizona. There are no known offset agreements in connection with this potential sale.

Implementation of this sale will require up to sixty (60) U.S. Government and contractor representatives to travel to Saudi Arabia for up to sixty (60) months for equipment de-processing, fielding, system checkout, 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. 16-31

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 CH-47F Chinook Cargo Helicopter is a medium-lift helicopter equipped with the Common Avionics Architecture System (CAAS) cockpit, which provides aircraft system, flight, mission, and communication management systems, five multifunction displays, two general purpose processor units, two control display units and two data concentrator units. The navigation system will have two Embedded Global Positioning System/Inertial Navigation System (GPS/INS), two Digital Advanced Flight Control Systems (DAFCS), one ARN-149 Automatic Direction Finder, one ARN-147 Very High Frequency Omnidirectional Range/Instrument Landing System (VOR/ILS) marker beacon system, one ARN-153 Tactical Airborne Navigation (TACAN) system, two air data computers, and one Radar Altimeter system. The aircraft survivability equipment includes the AN/APR-39A(V)1/4 Radar Signal Detecting Set, and the AN/AAR-57 Common Missile Warning System.

The Embedded Global Positioning System/Inertial Navigation System (GPS/INS) is SECRET. The AN/AAR-57 Common Missile Warning System (CMWS) is CONFIDENTIAL. Releasable technical manuals for operation and maintenance are SECRET. The AN/APR-39A(V)1/4 Series Radar Detecting Set (RDS) is SECRET. The AN/AVR-2B, Laser Warning Set is CONFIDENTIAL. Releasable technical manuals for operation and maintenance are SECRET. The AN/ARC-231(V)(C) is UNCLASSIFIED. The AN/ARC-201D Single Channel Ground and Airborne Radio System (SINCGARS), performance capabilities, Electronic Countermeasures/Electronic Counter Counter-Measures (ECM/ECCM) specifications and Engineering Change Orders (ECOs) are SECRET. The AN/APX-123A, Identification Friend or Foe (IFF) Transponder is UNCLASSIFIED. The AN/ARN-147, Very High Frequency Omni Ranging/Instrument Landing System (VOR/ILS) receiver is UNCLASSIFIED. The AN/ARC-220 is UNCLASSIFIED. The KN-77 is UNCLASSIFIED. The AN/PYQ-10 (C) Simple Key Loader (SKL) is UNCLASSIFIED. The TSEC KY-58 voice secure equipment is CONFIDENTIAL if software fill is installed. The TSEC KY-100 voice secure equipment is used with the FM Command Radio to provide secure two-way communication. It is Communications Security (COMSEC) Equipment and is classified SECRET if software fill is installed. The AN/AVS-6/7(V)1 is UNCLASSIFIED.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce weapon system effectiveness.

3. A determination has been made that Saudi Arabia 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.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Kingdom of Saudi Arabia.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
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. 16-62, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Qatar for de-

fense articles and services estimated to cost \$700 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 WORM, Acting Deputy Director  
(For J.W. Rixey, Vice Admiral, USN,  
Director).

Enclosures.

TRANSMITTAL NO. 16-62

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 Qatar.

(ii) Total Estimated Value:  
Major Defense Equipment (MDE)\* \$ 0 million.

Other \$700 million.  
Total \$700 million.  
(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.  
Non-MDE includes: Follow-on support for eight (8) C-17 aircraft, to include contract labor for sustainment engineering, on-site COMSEC support, Quality Assurance, support equipment repair, supply chain management, spares replenishment, maintenance, back shop support, and centralized maintenance support/associated services. Required upgrades will include fixed installation satellite antenna, Mode 5+ installation and sustainment, Automatic Dependent Surveillance-Broadcast Out, and two special operations loading ramps.

(iv) Military Department: Air Force (QAF).  
(v) Prior Related Cases, if any: QA-D-QAB.  
(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: December 7, 2016.

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

#### POLICY JUSTIFICATION

##### Qatar—Continuation of Logistics Support Services and Equipment

The Government of Qatar has requested a possible sale of continued logistics support for eight (8) C-17 aircraft which will include contract labor for sustainment engineering, on-site COMSEC support, Quality Assurance, support equipment repair, supply chain management, spares replenishment, maintenance, back shop support, and centralized maintenance support/associated services. Required upgrades will include fixed installation satellite antenna, Mode 5+ installation and sustainment, Automatic Dependent Surveillance-Broadcast Out, and two special operations loading ramps. The estimated total cost is \$700 million.

The proposed sale contributes to the foreign policy and national security of the U.S. by helping to improve the security of an important regional ally. Qatar is a vital partner for political stability and economic progress in the Middle East. The C-17 provides a heavy airlift capability and complements the normal, day-to-day operations of the Government of Qatar's C-130J fleet. Qatar will have no difficulty absorbing this equipment into its armed forces.

The proposed sale will enhance Qatar's ability to operate and maintain its C-17s, supporting its capability to provide humanitarian aid in the Middle East and Africa region and support its troops in coalition operations. Qatar's current contract supporting its C-17 fleet will expire in September of 2017.

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

The prime contractor will be the Boeing Corporation of Chicago, Illinois. The U.S. Government is not aware of any known offsets associated with this sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this sale will require the assignment of approximately five additional U.S. Government and approximately 50 contractor representatives to Qatar.

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

TRANSMITTAL NO. 16-62

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex A Item No. vii

(vii) Sensitivity of Technology:  
1. This sale will involve the release of sensitive technology to Qatar in the performance of services to sustain eight (8) Qatar C-17 aircraft. While much of the below equipment supporting the C-17 is not new to the country, there will be replenishment spares of the below sensitive technologies purchased to support the fleet.

2. The Force 524D is a 24-channel SAASM based Global Positioning System (GPS) receiver, with precise positioning service (PPS) capability built upon Trimble's next generation OPS technology. The Force 524D retains backward compatibility with the proven Force 5GS, while adding new functionality to interface with digital antenna electronics, to significantly improve anti-jam (AJ) performance. The host platform can select the radio frequency (RF) or digital antenna electronics (DAE) interface. In the digital mode, the Force 524D is capable of controlling up to 16 independent beams. The hardware and software associated with the 524D receiver card is UNCLASSIFIED.

3. The C-17 aircraft will be equipped with the GAS-1, which is comprised of the Controlled Reception Pattern Antennas (CRPA), with the associated wiring harness and the Antenna Electronics (AE)-1, to provide AJ capability. The hardware is UNCLASSIFIED.

4. The KIV-77 is the crypto applique for Mode V Identification Friend of Foe (IFF). The hardware is UNCLASSIFIED and COMSEC controlled.

5. Software, hardware, and other data/information, which is classified or sensitive, is reviewed prior to release to protect system vulnerabilities, design data, and performance parameters. Some end-item hardware, software, and other data identified above are classified at the CONFIDENTIAL and SECRET level. Potential compromise of these systems is controlled through management of the basic software programs, of highly sensitive systems and software-controlled weapon systems, on a case-by-case basis.

6. Qatar is both willing and able to protect United States classified military information. Qatari physical and document security standards are equivalent to U.S. standards. Qatar has demonstrated its willingness and capability to protect sensitive military technology and information released to its military in the past.

7. If a technologically advanced adversary were to obtain knowledge of the specific hardware or software source code in this proposed sale, the information could be used to develop countermeasures, which might reduce weapon system effectiveness or be used in the development of systems with similar or advanced capabilities. The benefits to be derived from this sale in the furtherance of the U.S. foreign policy and national security objectives, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology, where revealed to unauthorized persons.

8. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Qatar.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
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. 16-61, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Qatar for defense articles and services estimated to cost \$81 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 WORM, Acting Deputy Director  
(For J.W. Rixey, Vice Admiral, USN,  
Director).

Enclosures.

TRANSMITTAL NO. 16-61

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 Qatar.

(ii) Total Estimated Value:  
Major Defense Equipment (MDE)\* \$51 million.

Other \$30 million.  
Total \$81 million.

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

Major Defense Equipment (MDE): Four (4) F117-PW-100 C17 Engines (spares).

Non-MDE includes: Quick Engine Change (QEC) Kits, Engine Transport Trailers, Engine Platforms, Engine Trailers, and other various support.

(iv) Military Department: Air Force (LAC).

(v) Prior Related Cases, if any: QA-D-QAB.

(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: None.

(viii) Date Report Delivered to Congress: December 7, 2016.

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

#### POLICY JUSTIFICATION

Qatar—Spare C-17 Engines and Equipment

The Government of Qatar has requested a possible sale of the following in support of its eight (8) C-17 Globemaster III aircraft procured under a Direct Commercial Sale (DCS): four (4) spare F117-PW-100 engines, Quick Engine Change (QEC) Kits, Engine Transport Trailers, Engine Platforms, Engine Trailers, and other various support. The estimated total program cost is \$81 million.

The proposed sale would contribute to the foreign policy and national security of the U.S. by helping to improve the security of an important regional ally. Qatar is a vital partner for political stability and economic progress in the Middle East. The C-17 provides a heavy airlift capability and complements the normal, day-to-day operations of Qatar's C-130J fleet. Qatar will have no difficulty absorbing this equipment into its armed forces.

The proposed sale would enhance Qatar's ability to operate and maintain its C-17s, supporting its capability to provide humanitarian aid in the Middle East and Africa region and support its troops in coalition operations.

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

The prime contractor will be the Boeing Corporation of Chicago, Illinois. The U.S. Government is not aware of any known offsets associated with this sale. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not alter current assignment of additional U.S. Government or contractor representatives to Qatar. The number of U.S. Government and contractor representatives required in Qatar to support the program will be determined in joint negotiations as the program proceeds through the development, production and equipment installation phases.

There is no adverse impact on U.S. defense readiness as a result of this proposed sale. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Qatar.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
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. 16-52, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Kingdom of Morocco for defense articles and services estimated to cost \$108 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 WORM, Acting Deputy Director  
(For J.W. Rixey, Vice Admiral, USN,  
Director).

Enclosures.

TRANSMITTAL NO. 16-52

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: Kingdom of Morocco.

(ii) Total Estimated Value:  
Major Defense Equipment\* \$101 million.

Other: \$7 million.  
Total: \$108 million.

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

Major Defense Equipment (MDE):  
One thousand two-hundred (1,200) TOW 2A, Radio Frequency (RF) Missiles (BGM-71-4B-RF)

Fourteen (14) TOW 2A, Radio Frequency (RF) Missiles (Fly-to-Buy Lot Acceptance Missiles)

Non-MDE includes: U.S. Government and contractor engineering; technical and logistics support services; and other related elements of logistics and program support.

(iv) Military Department: Army (VTG).

(v) Prior Related Cases, if any: MO-B-USZ for \$137,034.913 signed on 4 May 2016.

(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: December 7, 2016.

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

#### POLICY JUSTIFICATION

Government of Morocco—Radio Frequency (RF) TOW 2A, Radio Frequency (RF) Missile (BGM-71-4B-RF and Support)

The Government of Morocco has requested a possible sale of one thousand two-hundred

(1,200) TOW 2A, Radio Frequency (RF) Missiles (BGM-71-413-RF) and fourteen (14) TOW 2A, Radio Frequency (RF) Missiles (Fly-to-Buy Lot Acceptance Missiles). Also included with this request is U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistics and program support. The estimated MDE sale is \$101 million. The total estimated value is \$108 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a Major Non-NATO Ally that continues to be an important force for the political stability and economic progress in North Africa. This proposed sale directly supports Morocco and serves the interests of the Moroccan people and the United States.

The proposed sale of TOW 2A Missiles and technical support will advance Morocco's efforts to develop an integrated ground defense capability. Morocco 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 contractors involved in this program are: Raytheon Missile Systems, Tucson, Arizona. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the U.S. Government or contractor representatives to travel to Morocco.

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

TRANSMITTAL NO. 16-52

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Radio Frequency (RF) TOW 2A Missile (BGM-71E-4B-RF) is designed to defeat armored vehicles, reinforced urban structures, field fortifications and other such targets. TOW missiles are fired from a variety of TOW launchers in the U.S. Army, USMC, and FMS customer forces. The TOW 2A RF missile can be launched from the same launcher platforms as the existing wire-guided TOW 2A missile without modification to the launcher. The TOW 2A missile (both wire & RF) contains two trackers for the launcher to track and guide the missile in flight. Guidance commands from the launcher are provided to the missile by a RF link contained within the missile case. The hardware, software, and technical publications provided with the sale thereof are UNCLASSIFIED. However, the system itself contains sensitive technology that instructs the system on how to operate in the presence of countermeasures.

2. The highest level of classified information that must be disclosed in training to use the end item is UNCLASSIFIED. The highest level of classified information that must be disclosed in maintenance of the end item is UNCLASSIFIED. The highest level of classified information that could be disclosed by sale of the end item is SECRET. The highest level of classified information that could be revealed by testing the end item is SECRET. The highest level of classified information that could be revealed by reverse engineering of the end item 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. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Morocco.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
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. 16-15, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Government of the United Arab Emirates for defense articles and services estimated to cost \$3.5 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J. W. RIXEY,  
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-15

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Prospective Purchaser: United Arab Emirates.

(i) Total Estimated Value:

Major Defense Equipment\* \$1.68 billion

Other \$1.82 billion

Total \$3.50 billion

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

Major Defense Equipment (MDE):

Twenty-eight (28) AH-64E Remanufactured Apache Attack Helicopters.

Nine (9) new AH-64E Apache Attack Helicopters.

Seventy-six (76) T700-GE-701D Engines (56 remanufactured, 18 new, 2 spares).

Thirty-nine (39) AN/ASQ-170 Modernized Target Acquisition and Designation Sight/AN/AAR-11 Modernized Pilot Night Vision Sensors (28 remanufactured, 9 new, 2 spares).

Thirty-two (32) remanufactured AN/APR-48B Modernized—Radar Frequency Interferometers.

Forty-six (46) AAR-57 Common Missile Warning Systems (31 remanufactured, 9 new, 6 spares).

Eighty-eight (88) Embedded Global Positioning Systems with Inertial Navigation (72 new, 16 spares).

Forty-four (44) Manned-Unmanned Teaming-International (MUMTI) Systems (28 remanufactured, 9 new, 7 spares).

Fifteen (15) new MUMTI System Upper Receivers.

Non-MDE: Training devices, helmets, simulators, generators, transportation, wheeled vehicles and organization equipment, spare and repair parts, support equipment, tools and test equipment, technical data and publications, personnel training and training equipment, U.S. government and contractor engineering, technical, and logistics support services, and other related elements of logistics support.

(iv) Military Department: Army (AE-B-GUA).

(v) Prior Related Cases, if any: FMS case: AE-B-JAH-02 Jan 92-\$617M, FMS case: AE-B-UDE-06 Jan 00-\$195M, FMS case: AE-B-UDN-28 Nov 05-\$755M, FMS case: AE-B-ZUL-21 Oct 09-\$252M, FMS case: AE-B-ZUF-22 Dec 08-\$174M

(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: December 7, 2016.

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

#### POLICY JUSTIFICATION

United Arab Emirates—Apache AH-64E Helicopters and Services

The Government of the United Arab Emirates (UAE) has requested a possible sale of twenty-eight (28) AH-64E Remanufactured Apache Attack Helicopters; nine (9) new AH-64E Apache Attack Helicopters; Seventy-six (76) T700-GE-701D Engines (56 remanufactured, 18 new, 2 spares); thirty-nine (39) AN/ASQ-170 Modernized Target Acquisition and Designation Sight/AN/AAR-11 Modernized Pilot Night Vision Sensors (28 remanufactured, 9 new, 2 spares); thirty-two (32) remanufactured AN/APR-48B Modernized—Radar Frequency Interferometers forty-six (46) AAR-57 Common Missile Warning Systems (31 remanufactured, 9 new, 6 spares); eighty-eight (88) Embedded Global Positioning Systems with Inertial Navigation (72 new, 16 spares); forty-four (44) Manned-Unmanned Teaming-International (MUMTI) systems (28 remanufactured, 9 new, 7 spares); and fifteen (15) new MUMTI System Upper Receivers. This request also includes training devices, helmets, simulators, generators, transportation, wheeled vehicles and organization equipment, spare and repair parts, support equipment, tools and test equipment, technical data and publications, personnel training and training equipment, U.S. government and contractor engineering, technical, and logistics support services, and other related elements of logistics support. Total estimated program cost is \$3.5 billion.

This proposed sale will enhance the foreign policy and national security of the U.S. by helping to improve the security of a friendly country that has been and continues to be an important force for political stability and economic progress in the Middle East.

The proposed sale will improve the UAE's capability to meet current and future threats and provide greater security for its critical infrastructure. The UAE will use the enhanced capability to strengthen its homeland defense. The UAE will have no difficulty absorbing these Apache aircraft into its armed forces.

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

The prime contractor will be Boeing in Mesa, AZ and Lockheed Martin in Orlando, FL. Offsets are a requirement of doing business in UAE; however offsets are negotiated directly between the Original Equipment Manufacturers or other vendors and the UAE government and details are not known at this time.

Implementation of this proposed sale will not require the assignment of contractor representatives to the UAE.

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

TRANSMITTAL NO. 16-15

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-64E Apache Attack Helicopter weapon system contains communications and target identification equipment, navigation equipment, aircraft survivability equipment, displays, and sensors. The airframe itself does not contain sensitive technology; however, the pertinent equipment listed below will be either installed on the aircraft or included in the sale:

a. The AN/APG-78 Fire Control Radar (FCR) is an active, low-probability of inter-

cept, millimeter-wave radar, combined with a passive AN/APR-48B Modernized Radar Frequency Interferometer (M-RFI) mounted on top of the helicopter mast. The FCR Ground Targeting Mode detects, locates, classifies and prioritizes stationary or moving armored vehicles, tanks and mobile air defense systems as well as hovering helicopters, helicopters, and fixed wing aircraft in normal flight if desired, the radar data can be used to refer targets to the regular electro-optical Modernized Target Acquisition and Designation Sight (MTADS). This information is provided in a form that cannot be extracted by the foreign user. The content of these items is classified SECRET. User Data Module (UDM) on the RFI processor, contains the Radio Frequency threat library. The UDM, which is a hardware assembly, is classified CONFIDENTIAL when programmed with threat parameters, threat priorities and/or techniques derived from U.S. intelligence information.

b. The AN/ASQ-170 Modernized Target Acquisition and Designation Sight/AN/AAQ-11 Pilot Night Vision Sensor (MTADS/PNVS) provides day, night, and limited adverse weather target information, as well as night navigation capabilities. The PNVS provides thermal imaging that permits nap-of-the-earth flight to, from, and within the battle area, while TADS provides the co-pilot gunner with search, detection, recognition, and designation by means of Direct View Optics (DVO), EPtelevision, and Forward Looking Infrared (FLIR) sighting systems that may be used singularly or in combinations. Hardware is UNCLASSIFIED. Technical manuals for authorized maintenance levels are UNCLASSIFIED. Reverse engineering is not a major concern.

c. The AN/APR-48B Modernized Radar Frequency Interferometer (M-RFI) is an updated version of the passive radar detection and direction finding system. It utilizes a detachable UDM on the M-RFI processor, which contains the Radar Frequency (RF) threat library. The UDM, which is a hardware assembly item is classified CONFIDENTIAL when programmed. Hardware becomes CLASSIFIED when populated with threat parametric data. Releasable technical manuals are Unclassified/restricted distribution.

d. The AAR-57 Common Missile Warning System (CMWS) detects energy emitted by threat missiles in-flight, evaluates potential false alarm emitters in the environment, declares validity of threat and selects appropriate countermeasures. The CMWS consists of an Electronic Control Unit (ECU), Electro-Optic Missile Sensors (EOMSs), and Sequencer and Improved Countermeasures Dispenser (ICMD). The ECU hardware is classified CONFIDENTIAL; releasable technical manuals for operation and maintenance are classified SECRET.

e. The AN/APR-39 Radar Signal Detecting Set is a system that provides warnings of radar-directed air defense threats and allows appropriate countermeasures. This is the 1553 databus-compatible configuration. The hardware is classified CONFIDENTIAL when programmed with U.S. threat data; releasable technical manuals for operation and maintenance are classified CONFIDENTIAL; releasable technical data (technical performance) is classified SECRET. The system can be programmed with threat data provided by the purchasing country.

f. The AN/AVR-2B Laser Warning Set is a passive laser warning system that receives, processes, and displays threat information resulting from aircraft illumination by lasers on the multi-functional display. The hardware is classified CONFIDENTIAL; releasable technical manuals for operation and maintenance are classified SECRET.

g. The Embedded Global Positioning System/Inertial Navigation System plus

MultiMode Receiver (EGI+MMR). The aircraft has two EGIs which use internal accelerometers, rate gyro measurements, and external sensor measurements to estimate the aircraft state, provides aircraft flight and position data to aircraft systems. The EGI is a velocity-aided, strap down, ring laser gyro based inertial unit. The EGI unit houses a GPS receiver. The receiver is capable of operating in either non-encrypted or encrypted. When keyed, the GPS receiver will automatically use anti-spoof/jam capabilities when they are in use. The EGI will retain the key through power on/off/on cycles. Because of safeguards built into the EGI, it is not considered classified when keyed. Integrated within the EGI is an Inertial Measurement Unit (IMU) for processing functions. Each EGI also houses a Multi-Mode Receiver (MMR). The MMR is incorporated to provide for reception of ground based NAVAID signals for instrument aided flight. Provides IMC I IFR integration and certification of improved Embedded Global Positioning System and Inertial (EGI) unit, with attached MMR, with specific cockpit instrumentation allows Apaches to operate within the worldwide IFR route structure. Also includes integration of the Common Army Aviation Map (CAAM), Area Navigation (RNAV), Digital Aeronautical Flight Information File (DAFIF) and Global Air Traffic Management (GATM) compliance.

h. Manned-Unmanned Teaming-International (MUMT-I) provides Manned-Unmanned Teaming with Unmanned Aerial Systems (UASs), other Apaches and other interoperable aircraft and land platforms. Provides ability to display real-time UAS sensor information to aircraft and transmit MTADS video. Capability to receive video and metadata from Interoperability Profile compliant (IOP) as well as legacy systems. It is a data link for the AH-64E that provides a fully integrated multiband, interoperable capability that allows pilots to receive off-board sensor video streaming from different platforms in non-Tactical Common Data Link (TCDL) bands. The MUMT-I data link can retransmit Unmanned Aerial System (UAS) or Apache Modernized Target Acquisition Designation Sight full-motion sensor video and metadata to another MUMT-I-equipped Apache. It can also transmit to ground forces equipped with the One Station Remote Video Terminal. It provides Apache aircrews with increased situational awareness and net-centric interoperability while significantly reducing sensor-to-shooter timelines. This combination results in increased survivability of Apache aircrews and ground forces by decreasing their exposure to hostile fire.

i. Link 16 is a military tactical data exchange network. Its specification is part of the family of Tactical Data Links. Link 16 provides aircrews with enhanced situational awareness and the ability to exchange target information to Command and Control (C2) assets via Tactical Digital Information Link-Joint (TADIL-J). Link 16 can provide a range of combat information in near-real time to U.S. and allies' combat aircraft and C2 centers. This will contribute to the integrated control of fighters by either ground-based or airborne controllers and will greatly increase the fighters' situational awareness and ability either to engage targets designated by controllers or to avoid threats, thereby increasing mission effectiveness and reducing fratricide and attrition. The Link 16 enables the Apache to receive information from the command-and-control platforms and enables it to share this data with all the other services, making it more efficient at locating and prosecuting targets. The material solution for the AH-64E is currently the Small Tactical Terminal (SIT) KOR-24A

from Harris to satisfy its requirement for an Airborne and Maritime/Fixed Station (AMF) Small Airborne Link 16 Terminal (SALT). The SIT is the latest generation of small, two-channel, Link 16 and VHF/UHF radio terminals. While in flight, the SIT provides simultaneous communication, voice or data, on two key waveforms.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that the recipient country 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.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of the United Arab Emirates.

#### 21ST CENTURY CURES BILL

Mr. RUBIO. Mr. President, I am pleased to see that the 21st Century Cures Act will fix one of the issues associated with payments for hospital outpatient departments that arose from the Bipartisan Budget Act of 2015. You will recall that section 603 of that act changed the way these departments will be reimbursed by Medicare in the future. Hospital outpatient departments that were billing Medicare prior to November 2, 2015, however, were exempted from these reduced payments.

We have heard from a number of hospitals in Florida that were in the middle of developing hospital outpatient departments when the new law went into effect. They had made substantial investments in these new departments under the assumption that Medicare would pay them just as it had been doing for years. I am pleased to see that the 21st Century Cures Act will permit hospitals that were in the process of developing outpatient departments to be reimbursed under the previous payment system.

In my State, Jackson Health System, a large public hospital which is known throughout the world for its high-quality healthcare and its value as a public hospital in our community, was in the process of building four new outpatient departments for patients in the Miami-Dade County area when the new law was passed. They had executed binding leases on three of the departments, constructed facilities, and finalized contracts for architectural and engineering reviews on several of the facilities. They had gone through a long process of getting the necessary approvals and financing from the county and State governments.

It is obvious that all four of Jackson's outpatient facilities meet the "mid-build" exception contained in section 16001 of the 21st Century Cures Act. The actual construction of these facilities was complete, and Jackson

was in the process of securing all the necessary requirements for the renovations of these facilities when the new law was passed on November 2, 2015. The Centers for Medicare and Medicaid Services, CMS, clearly agreed when they issued provider numbers to all four new outpatient departments in September and October 2015. For hospitals like Jackson, the subsequent change in the law essentially changed the rules in the middle of the game. I urge CMS to work with all hospitals in similar situations.

I am very pleased that the 21st Century Cures Act will provide relief to the Jackson Health System and hospitals like it that had made these investments in future outpatient healthcare departments prior to the Bipartisan Budget Act of 2015.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### FEDERAL RULE OF CRIMINAL PROCEDURE 41

Mr. CORNYN. Mr. President, I ask unanimous consent that the following letters from law enforcement groups be printed in the RECORD in support of the recent changes to Federal Rule of Criminal Procedure 41 that was the subject of debate on the floor of the Senate on November 30, 2016: a December 6, 2016, letter signed by the Association of State Criminal Investigative Agencies, the International Association of Chiefs of Police, the Major Cities Chiefs Association, the National District Attorneys Association, the National Sheriffs' Association, and the Sergeant's Benevolent Association NYPD; a December 5, 2016, letter signed by the Federal Law Enforcement Officers Association; a December 5, 2016, letter signed by the Federal Bureau of Investigation Agents Association; a December 5, 2016, letter signed by the National Fraternal Order of Police; and, a December 5, 2016, letter signed by the National Association to Protect Children.

DECEMBER 6, 2016.

Re: Rule 41 Changes.

Hon. CHUCK GRASSLEY,  
*Chairman*

Hon. PATRICK LEAHY,  
*Ranking Member, Committee on the Judiciary,*  
*U.S. Senate Washington, DC.*

DEAR CHAIRMAN GRASSLEY AND RANKING MEMBER LEAHY: We write in support of changes to Rule 41 of the Federal Rules of Criminal Procedure that improve the ability of law enforcement to obtain evidence despite efforts by criminals to hide behind technology. The changes encourage judicial oversight of complex online investigations and give investigators a clear roadmap to seek authorization for their techniques.

Rule 41 improvements help solve a simple conundrum for law enforcement: if you don't know where a computer is located that is being used to commit a crime, how do you know which court to ask for a search warrant to find the computer? Investigators sought these common-sense changes because they needed court oversight and authorization to identify criminals hiding behind