

(viii) Date Report Delivered to Congress: December 18, 2018.

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

POLICY JUSTIFICATION

Turkey—Patriot Missile System and Related Support and Equipment

Turkey has requested the possible sale of four (4) AN/MPQ-65 Radar Sets, four (4) Engagement Control Stations, ten (10) Antenna Mast Groups (AMGs), twenty (20) M903 Launching Stations, eighty (80) Patriot MIM-104E Guidance Enhanced Missiles (GEM-T) missiles with canisters, sixty (60) PAC-3 Missile Segment Enhancement (MSE) missiles, and five (5) Electrical Power Plant (EPP) III. Also included with this request are communications equipment, tools and test equipment, range and test programs, support equipment, prime movers, generators, publications and technical documentation, training equipment, spare and repair parts, personnel training, Technical Assistance Field Team (TAFT), U.S. Government and contractor technical, engineering, and logistics support services, Systems Integration and Checkout (SICO), field office support, and other related elements of logistics and program support. The total estimated program cost is \$3.5 billion.

This proposed sale will contribute to the foreign policy and national security of the United States by improving the security of a key NATO Ally on the front lines of the fight against terrorism. Turkey is a member of and critical enabling platform for the Defeat-ISIS campaign and continues to be an essential element of our National Security Strategy and National Defense Strategy efforts to compete against great powers in both Europe and the Middle East. The TPY-2 radar site that Turkey hosts is important to the European Phased Adaptive Approach and to efforts to protect Allies and partners against growing Iranian ballistic missile threats. This sale is consistent with U.S. initiatives to provide key allies with modern systems capable of being networked to defend against regional instability. The proposed sale will enhance Turkey's interoperability with the United States and NATO, making it a more valuable partner in an increasingly important area of the world.

Turkey will use Patriot to improve its missile defense capability, defend its territorial integrity, and deter regional threats. The proposed sale will increase the defensive capabilities of the Turkey military to guard against hostile aggression and shield NATO Allies who might train and operate within Turkey's borders. Turkey should have no difficulty absorbing this system into its armed forces.

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

The prime contractors will be Raytheon Corporation in Andover, Massachusetts, and Lockheed-Martin in Dallas, Texas. The purchaser requested offsets. At this time offset agreements are undetermined and will be defined in negotiations between the purchaser and contractors.

Implementation of this proposed sale will require approximately 25 U.S. Government and 40 contractor representatives to travel to Turkey for an extended period for equipment de-processing/fielding, system checkout, training, and technical and logistics support.

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

TRANSMITTAL NO. 18-17

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 Patriot Air Defense System contains classified CONFIDENTIAL hardware components, SECRET tactical software and CRITICAL/SENSITIVE technology. Patriot ground support equipment and Patriot missile hardware contain CONFIDENTIAL components and the associated launcher hardware is UNCLASSIFIED. The items requested represent significant technological advances for Sweden Patriot. The Patriot Air Defense System continues to hold a significant technology lead over other surface-to-air missile systems in the world.

2. The Patriot sensitive/critical technology is primarily in the area of design and production know-how and primarily inherent in the design, development and/or manufacturing data related to certain components. The list of components is classified CONFIDENTIAL.

3. Information on system performance capabilities, effectiveness, survivability, missile seeker capabilities, select software/software documentation and test data are classified up to and including SECRET.

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

5. A determination has been made that Turkey 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.

6. All defense articles and services listed in this transmittal have been authorized for release and export to Turkey.

CERTIFICATION PURSUANT TO § 620C(D) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Pursuant to Section 620C(d) of the Foreign Assistance Act of 1961, as amended (the Act), Executive Order 12163 and State Department Delegation of Authority No. 293-2, I hereby certify that the furnishing to Turkey of four Patriot systems is consistent with the principles contained in Section 620C(b) of the Act.

This certification will be made part of the notification to Congress under Section 36(b) of the Arms Export Control Act, as amended, regarding the proposed sale of the above-named articles and services and is based on the justification accompanying such notification, of which such justification constitutes a full explanation.

ANDREA THOMPSON,  
Under Secretary of State.

CONFIRMATION OF JOSEPH MAGUIRE

Mr. WARNER. Mr. President, I wholeheartedly support the nomination of VADM Joseph Maguire to be the Director of the National Counterterrorism Center, NCTC. Had I been able to cast my vote today, it would have been to support this exceptional nominee.

The Director of the NCTC is one of the most important positions in the intelligence community, especially at

this critical juncture in our Nation's history. Admiral Maguire has a long and impressive record of achievement and of service to his country, and I applaud his willingness to once again return to public service after completing a Navy career that spanned 36 years, including as the commander of Naval Special Warfare Command.

The National Counterterrorism Center is the U.S. intelligence community's premier organization for tracking and countering the continuing threat from terrorism. Our country still has men and women on the frontlines in the fight against extremist groups, and they must get it right each hour of every day to ensure the safety and security of their fellow Americans.

As Admiral Maguire and I have discussed, our counterterrorism capabilities are greatly strengthened by our relationships with the allies and partners with whom we have fought shoulder-to-shoulder since September 11, 2001, in this struggle. This is why it is important for the United States to hold onto and strengthen our traditional alliances such as NATO—and not to heedlessly undermine them.

I am satisfied by the ironclad commitments Admiral Maguire gave to the Senate Intelligence Committee during his confirmation hearing to ensuring that the men and women serving under him will always be empowered to assess and analyze intelligence free from political interference. He has also committed to present these assessments to those in leadership positions free of any political considerations. In short, he has committed to “speak truth to power,” and I expect him to live up to these commitments.

This is especially important at a time when we have sometimes seen those in power unjustifiably belittle and denigrate our Intelligence Community and law enforcement agencies.

I trust that Admiral Maguire and those he leads at the NCTC will continue to selflessly work day and night—whether on the 24/7 watch floor or on the front lines, to protect the United States and our allies from the terrorist threat. I salute him for stepping up to this challenging task.

STRENGTHENING COASTAL COMMUNITIES ACT OF 2018

Mr. BARRASSO. Mr. President, today the Senate passed H.R. 5787, the Strengthening Coastal Communities Act of 2018, by unanimous consent. This legislation adds new acres to the Coastal Barrier Resources System, which Congress established through bipartisan legislation in 1982.

I yield to my distinguished colleague, the Senator from Delaware, ranking member of the Environment and Public Works Committee.

Mr. CARPER. Mr. President, I thank my distinguished colleague, the Senator from Wyoming, chairman of the Environment and Public Works Committee. The Coastal Barrier Resources

Act is an important, free-market conservation tool that does not regulate how people develop their land, but transfers the full cost of developing in risky, environmentally sensitive areas from taxpayers to the individual choosing to develop. The Coastal Barrier Resources System also provides much-needed habitat for our Nation's treasured wildlife, including federally threatened Red Knot birds in Delaware.

H.R. 5787 adds approximately 18,000 acres along the Delaware, North Carolina, South Carolina, and Florida coasts to the Coastal Barrier Resources System, protecting these barrier islands, beaches, wetlands, and aquatic habitat from federally funded development.

H.R. 5787 also corrects an error that placed part of Bethany Beach, in my great State of Delaware, within the Coastal Barrier Resources System. The U.S. Fish and Wildlife Service discovered this error during a Coastal Barrier Resources System digital mapping pilot project, which Congress directed the U.S. Fish and Wildlife Service to undertake in 2000.

Digital mapping has enabled the U.S. Fish and Wildlife Service to greatly improve mapping accuracy as the Service updates outdated maps and makes determinations about whether properties fall inside or outside the Coastal Barrier Resources System. However, as our colleagues in the U.S. House of Representatives drafted H.R. 5787, concerns arose regarding the security and permanency of digital maps.

To address these concerns, the U.S. House of Representatives included section 3 in H.R. 5787. However, this legislation is not intended to prevent the U.S. Fish and Wildlife Service from using various digital tools, digital data, and digital maps to help implement the Coastal Barrier Resources Act.

I would ask if my distinguished colleague, the Senator from Wyoming, chairman of the Environment and Public Works Committee, could confirm my understanding about the use of digital maps under H.R. 5787?

Mr. BARRASSO. Mr. President, the Senator from Delaware is correct about this use of digital maps. Under H.R. 5787, Congress does not intend to prevent the use of these tools or data to assist in the implementation of the Coastal Barrier Resources Act. Congress intends to ensure the integrity of the system maps and the rule of law. Congress intends that the U.S. Fish and Wildlife Service be permitted to continue to make determinations as to whether a location is inside or outside of the Coastal Barrier Resources System with the assistance of Geographic Information Systems and any digital boundary data that were used to create the Coastal Barrier Resources System maps.

In cases where properties or project sites are located close to a system boundary, due to the scale of the official maps or age of the underlying base

maps, the assistance of various digital tools and data may be needed in order to ensure that the U.S. Fish and Wildlife Service makes accurate determinations. Congress intends that those determinations are based on a printed, hard copy version of an applicable digital map.

Mr. CARPER. Mr. President, I thank my colleague for his confirmation of my understanding. In conclusion, I also want to thank my colleague for working with me and all of our colleagues to enact this bipartisan legislation into law. During a time of frequent partisan gridlock, I am proud of the work of the U.S. Senate Committee on Environment and Public Works for shepherding agreement on many important issues, including this one.

Thank you.

#### TRIBUTE TO ORRIN HATCH

Mr. CASEY. Mr. President, today I wish to pay tribute to my colleague Senator ORRIN HATCH and his more than 40 years of public service. Only five U.S. Senators have served longer than Senator HATCH, and he is one of the few who have served as President Pro Tempore of the Senate, an honor given to the longest serving Member of the majority party. Some may not know this, but ORRIN HATCH was born and raised in Pittsburgh, PA. He attended the University of Pittsburgh Law School and practiced law in the city before moving to Utah years before his election to the Senate.

Senator HATCH has too many legislative accomplishments to list, but I will focus on one that is so important to our family, the Children's Health Insurance Program. Nelson Mandela once said, "There can be no keener revelation of a society's soul than the way in which it treats its children." The Children's Health Insurance program, known by the acronym CHIP, is a prime example of when our Nation took an important step forward to care for our children. Senator HATCH worked with our former colleague Senator Ted Kennedy and others to ensure that children from low-income families who were not eligible for Medicaid had access to healthcare. CHIP holds a special place in my heart as well because my father, Governor Robert P. Casey, signed into law one of the first children's health insurance programs in the Nation in 1992. Pennsylvania's CHIP served as the model for the national program that today provides healthcare to nearly 10 million children.

We will miss Senator HATCH here, but he leaves the Senate knowing that his work has positively impacted the lives of millions of Americans. We wish Senator ORRIN HATCH well as he returns to Utah.

#### TRIBUTE TO BILL NELSON

Mr. CASEY. Mr. President, today I wish to pay tribute to my colleague,

Senator BILL NELSON, who will leave the Senate after 18 years of service in the Senate and over 40 years as a public official in the State of Florida.

Abigail Adams once asked, "If we do not lay out ourselves in the service of mankind whom should we serve?" Throughout his career, Senator NELSON worked to make life better for the people of Florida and the United States.

Florida and Pennsylvania share a distinction in having among the largest percentage of seniors in their States and therefore millions of Medicare beneficiaries. Through his work on the Finance Committee, Senator NELSON pushed to guarantee that Medicare provided quality care to our seniors and people with disabilities. Senator NELSON worked every day to ensure that our government kept the original promise President Johnson made in 1965 to guarantee quality, affordable healthcare for beneficiaries.

Florida has a coastline of 1,350 miles, and BILL NELSON understood that the beaches and the oceans needed to be protected from offshore drilling and pollution. Current and future generations of Floridians and others who visit the State will enjoy the benefits of Senator NELSON's work in fighting to maintain and enhance those protections.

Senator NELSON has also been a leader in the areas of science and space. As a former astronaut who journeyed into space in 1986 on the space shuttle *Columbia*, Senator NELSON understood the importance of exploration and discovery and never stopped imagining what is possible.

We will miss Senator NELSON in this Chamber, and we thank him for his decades of service on behalf of the people of Florida and our Nation. We have no doubt that he will continue to find ways to make a difference and serve our country in the years ahead.

#### TRIBUTE TO JEFF FLAKE

Mr. CASEY. Mr. President, today I wish to pay tribute to my colleague, Senator JEFF FLAKE. First in the House of Representatives and later in the U.S. Senate, JEFF FLAKE has served the people of Arizona and the Nation for over 15 years.

Senator FLAKE has a strong record of supporting democracy at home and abroad, finding areas of compromise on difficult issues like immigration reform and making sure our Nation keeps its promise to veterans. Senator FLAKE has been a leader on immigration reform efforts, and he has worked tirelessly to find a path forward to address the needs of our immigration system. In 2013, Senator FLAKE was one of the lead authors of bipartisan immigration reform legislation that would have modernized our immigration system, secured our borders, and provided a tough but fair path to citizenship for undocumented immigrants in our country. Through his position in the Senate Committee on Foreign Relations, Senator FLAKE has advocated for policies