

of the country—urban areas, suburban areas, rural areas. It affects the poor, the middle class, and the rich.

Good news: It protects 99 percent of the Environmental Protection Agency's budget so their quest to keep our water and air clean will be able to continue. It increases funding for clean energy research as well. That is one of the great hopes for jobs in this country, as our Senator from Washington, MARIA CANTWELL, constantly reminds us.

For my home State of New York, I was particularly pleased the agreement supports critical programs that are greatly needed and very popular in my State, like the Community Development Block Grant Program, which so many smaller cities depend on; the Great Lakes Restoration Initiative to get pollution out of all the Great Lakes, Lake Ontario and Lake Erie being on the shores of New York; and the vital TIGER Grant Program, which has done so much to support infrastructure, road building, and highways throughout my State and throughout America.

As I said, the bill explicitly precludes the use of any of this funding for a border wall. This is an idea that both parties rejected. A load of Congressmen and Senators on the Republican side have said that the wall doesn't make sense. In fact, you couldn't find one Republican on the border in the States of California, Arizona, New Mexico, and Texas who supported that wall. Why? Unlike the President's promise, Mexico is not paying for it. There is no plan for the wall. We don't even know where we would build it. The Secretary of the Interior, President Trump's appointee, said: We can't build it from the U.S. side because it cuts us off from the river. Mexico will not build on their side. Where are we going to build it? In the middle of the river? And, mainly, because it is not very effective—you can tunnel under a wall.

We all want to prevent the scourge of drugs from coming across our border; so many of them come in little planes and boats. When they come by land, they are often hidden in parts of cars, in the carburetor or the exhaust tank—hidden. They will be able to come through because the wall obviously is going to have portals in it where trucks and cars can go through. So there is no money for the border wall, not one plug nickel.

We do have money, of course, for border protection, which both parties have always supported, and comprehensive immigration reform. Senator MCCAIN and I, in a bipartisan bill supported by 68 Members of this body, made sure we had very strong border protection. But it has to be smart, it has to be cost effective, and it has to work.

Early on in this debate, Democrats clearly laid out our principles and insisted there would be no poison pill riders in this bill. We were able to knock out more than 160 poison pill riders from the final agreement, including

the border wall, anti-labor measures that hurt the working people of America, and efforts to defund Planned Parenthood. So many women depend on these clinics for their health. And we were able to achieve significant investments in domestic programs that help the middle class and those struggling to get to the middle class.

Of course, this bill doesn't include all the things we wanted, but that is the nature of compromise. At the end of the day, this is an agreement that reflects our basic principles—something that both Democrats and Republicans can support. It took a few extra days, but we got a very good agreement.

I want to thank my friend, the majority leader, Senator MCCONNELL. He worked very hard to get a good bill. I thank the chairmen and ranking members of the House-Senate Appropriations Committees, particularly Senator LEAHY from Vermont in our Chamber. I thank Speaker RYAN and Leader PELOSI and all of their staff for working so hard last week and over the weekend to forge an agreement.

I must tell you, and I must tell my colleagues, the negotiations between our two sides were consistently productive and always respectful. Throughout the process, both Republican and Democratic Members and staff negotiated in good faith because we all wanted to get something done. I believe this experience bodes well for the 2018 budget and future negotiations between our two parties on appropriations. If we can show the same desire to get things done—the same mutual respect, the same ability to compromise—we can get a darn good budget for the year 2018 without the specter of a government shutdown hanging over the country's head.

I wish to say one final thing. It shows that when our Republican colleagues are willing to work with us, we can get things done. All too often—particularly from the White House—this attitude is just do it our way, my way or the highway. That is what happened on the healthcare bill—no consultation with Democrats. That is what happened on this little tax plan.

When you don't do things in a bipartisan way, it is much harder to pass things. It is much harder to get a product that is at the consensus of where America is. I hope that not only will this successful negotiation on the 2017 appropriations bill be a model for the 2018 bill but a broader model that we can all work together to get things done for the country we love.

I expect we will vote on this bill later this week, and I believe it will receive overwhelming support in this Chamber.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRAPO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Mr. CRAPO. Madam President, I rise today in support of Jay Clayton, who has been nominated to serve on the U.S. Securities and Exchange Commission. In the interest of time, I will save my longer remarks for later.

As demonstrated at the Banking Committee's nomination hearing, Mr. Clayton is eminently qualified to serve on the U.S. Securities and Exchange Commission, or the SEC.

He impressed both Republicans and Democrats and was voted out of committee on a bipartisan vote of 15 to 8. His extensive expertise and experience in our financial markets will be a benefit to the Commission and to the American people.

His testimony about the need to make our capital markets more attractive, which would rejuvenate their ability to invest in the United States and grow and create jobs, was well received. Additionally, he pledged to members of this committee and to the American people that he will show no favoritism to anyone.

While some have raised issues about his previous work potentially creating conflicts, Mr. Clayton is not new in this regard, nor will he be any less vigilant to ensure that he acts appropriately and ethically.

I will be supporting his nomination and look forward to having him at the SEC, where he can help protect and promote the success of our security markets and our investors.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MORAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. All time is expired.

#### CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Jay Clayton, of New York, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2021.

Mitch McConnell, John Cornyn, Tom Cotton, Dan Sullivan, Shelley Moore Capito, John Barrasso, Roger F. Wicker, Mike Rounds, Orrin G. Hatch, Bill Cassidy, Pat Roberts, Mike Crapo, Lamar Alexander, Richard Burr, John Thune, Jerry Moran, James E. Risch.

The PRESIDING OFFICER (Mr. LANKFORD). By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination

of Jay Clayton, of New York, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2021, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE), the Senator from Nevada (Mr. HELLER), and the Senator from Georgia (Mr. ISAKSON).

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) is necessarily absent.

The PRESIDING OFFICER (Mr. CORNYN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 60, nays 36, as follows:

[Rollcall Vote No. 117 Ex.]

YEAS—60

Alexander	Gardner	Paul
Barrasso	Graham	Perdue
Bennet	Grassley	Portman
Blunt	Hassan	Risch
Boozman	Hatch	Roberts
Burr	Heitkamp	Rounds
Capito	Hoeven	Rubio
Carper	Inhofe	Sasse
Cassidy	Johnson	Scott
Cochran	Kennedy	Shaheen
Collins	King	Shelby
Corker	Lankford	Strange
Cornyn	Lee	Sullivan
Cotton	Manchin	Tester
Crapo	McCain	Thune
Cruz	McCaskill	Tillis
Daines	McConnell	Toomey
Enzi	Moran	Warner
Ernst	Murkowski	Wicker
Fischer	Nelson	Young

NAYS—36

Baldwin	Franken	Murray
Blumenthal	Gillibrand	Peters
Booker	Harris	Reed
Brown	Heinrich	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Casey	Klobuchar	Stabenow
Coons	Leahy	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	Menendez	Warren
Duckworth	Merkley	Whitehouse
Feinstein	Murphy	Wyden

NOT VOTING—4

Durbin	Heller
Flake	Isakson

The PRESIDING OFFICER (Mr. HOEVEN). On this vote, the yeas are 60, the nays are 36.

The motion is agreed to.

The assistant majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate 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.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. DURBIN. Mr. President, I was necessarily absent for the vote on the motion to invoke cloture on the nomination of Jay Clayton to be a Member of the Securities and Exchange Commission, Executive Calendar No. 36.

On vote No. 117, had I been present, I would have voted nay on the motion to invoke cloture on Executive Calendar No. 36.●

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.

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

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. 17-07, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Kenya for defense articles and services estimated to cost \$253 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,

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

TRANSMITTAL NO. 17-07

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 Kenya.

(ii) Total Estimated Value:

Major Defense Equipment\* \$0 million.

Other \$253 million.

Total \$253 million.

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

Major Defense Equipment (MDE): None.

Non-MDE:

Twelve (12) MD 530F Weaponized Aircraft.

Twenty-four (24) Heavy Machine Gun Pod (HMP) 400 Systems.

Twenty-four (24) M260 Rocket Launchers.

Four thousand and thirty-two (4,032) M151 Rockets.

One thousand five hundred and thirty-six (1,536) 2.75-inch M274 Smoke signature Warhead Rockets.

Four hundred thousand (400,000) rounds of .50 Caliber Ammunition.

Also included is communications and navigation equipment, contractor logistics support, training, U.S. Government technical assistance, airframe and weapon system spare parts support, Contractor Field Service Representative (CFSR) support, and Special Airlift Assignment Mission (SAAM) flight delivery support.

(iv) Military Department: Army (UDQ).

(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: None.

(viii) Date Report Delivered to Congress: May 1, 2017.

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

POLICY JUSTIFICATION

Kenya—MD 530 Aircraft

The Government of Kenya has requested a possible sale of twelve (12) MD 530F weaponized aircraft to include twenty-four (24) Heavy Machine Gun Pod (HMP) 400 systems; twenty-four (24) M260 rocket launchers; four thousand and thirty-two (4,032) M151 rockets; one thousand five hundred and thirty-six (1,536) 2.75-inch M274 smoke signature warhead rockets; and four hundred thousand (400,000) rounds of .50 caliber ammunition. Also included are communications and navigation equipment, contractor logistics support, training, U.S. Government technical assistance, airframe and weapon system spare parts support, Contractor Field Service Representative (CFSR) support, and Special Assigned Airlift Mission (SAAM) flight delivery support. The total estimated cost is \$253 million.

This proposed sale contributes to the foreign policy and national security of the United States by improving the security of a strong regional partner who is a regional security leader, undertaking critical operations against al-Shabaab, and a troop contributor to the African Union Mission in Somalia (AMISOM).

The proposed sale of the MD 530F helicopters, weapons, ammunition, support items and technical support will advance Kenya's efforts to conduct scout and attack rotary wing aircraft operations in support of their AMISOM mission. The MD 530F will also replace Kenya's aging MD500 fleet, which is the current reconnaissance platform supporting Kenyan ground forces. This sale will significantly enhance the Kenyan Army's modernization efforts and increase interoperability with the U.S. Armed Forces and other partners in the region. Additionally, a strong national defense and dedicated military force will assist Kenya in its efforts to maintain stability in East Africa.

Kenya 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 MD Helicopters, Mesa, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of approximately twelve (12) additional contractor representatives in country for a period of 12 months.

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