

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 159, Derek Kan.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Derek Kan, of California, to be Under Secretary of Transportation for Policy.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 Derek Kan, of California, to be Under Secretary of Transportation for Policy.

Mitch McConnell, Orrin G. Hatch, John Barrasso, Johnny Isakson, Chuck Grassley, Thom Tillis, Lindsey Graham, Roy Blunt, John Cornyn, John Thune, John Boozman, Cory Gardner, Pat Roberts, Mike Crapo, Mike Rounds, James M. Inhofe, John Hoeven.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls with respect to the cloture motions be waived.

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

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the pending cloture motions ripen at 5:30 p.m. on Monday, November 6. I further ask that at 11 a.m. on Tuesday, November 7, the Senate proceed to the consideration of Executive Calendar No. 247, as under the previous order.

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

Mr. MCCONNELL. For the information of all Senators, there will be a cloture vote on the Engel nomination at 5:30 p.m. on Monday. The Senate will vote on the Gibson nomination at 12 noon on Tuesday.

The PRESIDING OFFICER. The Senator from Nebraska.

#### CONFIRMATIONS OF AMY BARRETT, JOAN LARSEN, AND ALLISON EID

Mrs. FISCHER. Mr. President, although nearly half of those graduating from law school are women, only about a third of the Federal judges are female. This week, we had the honor of adding three more.

I rise to congratulate these three successful women because their additions to the Federal court system are historic. They serve as more evidence that well-qualified women are becoming more confident in stepping forward and serving our great Nation.

Amy Coney Barrett, Joan Louise Larsen, and Allison Eid are three more cracks in that glass ceiling. Their confirmations are proof that successful women can balance responsibility and seize opportunity when it knocks on their doors. These accomplished nominees are not joining the Federal bench because of a frivolous attempt at trying to balance out the gender disparity in our courts. They will be donning the black robes because they will have earned it.

Amy Coney Barrett, our new judge for the Seventh Circuit, climbed to the ranks by clerking for Judge Laurence Silberman on the DC Circuit and Justice Scalia on the U.S. Supreme Court. In working with her husband, who is a successful lawyer in his own right, she has balanced family responsibilities while having achieved personal success. At the age of 30, she was hired as a professor at one of the Nation's best law programs, Notre Dame. Over the past 6 years, she has sat on the Advisory Committee on Federal Rules of Appellate Procedure on the recommendation of Chief Justice Roberts.

Joan Louise Larsen, the next U.S. circuit judge for the Sixth Circuit, is proof that hard work pays off. After graduating at the top of her class from Northwestern, Judge Larsen clerked for Justice Scalia on the U.S. Supreme Court before serving as a Deputy Assistant Attorney General in the U.S. Department of Justice, Office of Legal Counsel. She most recently sat on the highest court in her State, the Supreme Court of Michigan. She has done this while raising two children with her law professor husband.

Allison Eid, the newest judge for the Tenth Circuit, has demonstrated brilliance throughout her career. After graduating from Stanford, she worked as an assistant speechwriter for William Bennett, President Reagan's Secretary of Education. After graduating from law school with honors, she clerked for Justice Clarence Thomas of the U.S. Supreme Court. She has served with distinction on the Colorado Supreme Court since 2006. With her husband, Troy, the first Egyptian American to serve as a U.S. district attorney, she has helped to raise two children.

These three successful women should serve as role models to girls and boys across this Nation. They are proof that women do not need to stand back while others find success, and their confirmations are evidence that, when women support each other, they will achieve at the highest level. They also demonstrate the power of families when they work together to accomplish goals.

We should be proud to have confirmed these three great women to the

Federal bench. All of us receive letters from children who ask questions about: What do you do in the U.S. Senate? Weeks like this one should be part of our response. We empower those who have empowered themselves regardless of their gender. We shape our legal system by filling it with qualified women who are dedicated to preserving and protecting our Constitution—the framework of our free Nation. We proclaim that hard work is to be rewarded. These three important confirmations are further proof that young women do not have to choose between raising families and rising to the top of their chosen professions.

I stand here today and send a message to every little girl who wonders about politics and every young woman who faces the challenges of starting out in her career: You can do this too. We love you, and we support you. Be confident when you want to step forward and serve your community and serve your country.

The judicial nominees who were voted on this week exemplify the best of our Nation's legal community. Their confirmations to the Federal bench have added significant talent to our Nation's system of justice. The work being done by the President and by this Senate in shaping the Federal courts with those who will follow the rule of law is historic. President Trump should be applauded for nominating such well-qualified people to be on the Federal bench.

All of the nominees voted on this week will make exceptional additions to the Federal bench, and I hope that the President will send many more like them for us to consider. All four are deserving of their new positions, and I am sure that they will honor and protect the Constitution and serve the American people well as good judges.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for 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. MENENDEZ. Mr. President, I was unavailable for rollcall vote No. 259, on the nomination of Allison Eid, of Colorado, to be U.S. circuit judge for the Tenth Circuit. Had I been present, I would have voted nay.

Mr. President, I was unavailable for rollcall vote No. 260, on the motion to invoke cloture on Stephanos Bibas, of Pennsylvania, to be U.S. circuit judge for the Third Circuit. Had I been present, I would have voted nay.

Mr. President, I was unavailable for rollcall vote No. 261, on the nomination of Stephanos Bibas, of Pennsylvania, to be U.S. circuit judge for the Third Circuit. Had I been present, I would have voted nay. •

## VOTE EXPLANATION

Mr. DONNELLY. Mr. President, earlier today, on rollcall vote No. 260, the motion to invoke cloture on Stephanos Bibas, of Pennsylvania, to be U.S. circuit judge for the Third District, I voted yea when I had intended to vote nay.

## 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. 17-22, 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 \$1.1 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,

CHARLES W. HOOPER, Lieutenant  
General, USA, Director.

Enclosures.

## TRANSMITTAL NO. 17-22

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\* \$ 0 billion.  
Other \$ 1.1 billion.  
TOTAL \$ 1.1 billion.

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

Major Defense Equipment (MDE): None

Non-MDE: Design and construction services, new parking/loading ramps, hot cargo pads, taxiways, hangars, back shops, alert facilities, weapons storage areas, hardened shelters, squadron operations facilities, maintenance facilities, training facilities, information technology support and cyber facilities, force protection support facilities, squadron operations facilities, other F-15QA related support structures, construction/facilities/design services, cybersecurity services, mission critical computer resources, support services, force protection services, and other related elements of logistics and program support.

(iv) Military Department: Air Force (X7-D-QAL).

(v) Prior Related Cases, if any:

Air Force: QA-D-SAC, QA-D-TAH, QA-D-YAB.

Navy: QA-P-AAG, QA-P-AAE, QA-P-AAH, QA-P-LAC, QA-P-LAE.

(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: November 1, 2017.

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

## POLICY JUSTIFICATION

Qatar—F-15QA Construction, Cybersecurity, and Force Protection Infrastructure

The Government of Qatar has requested support of its F-15QA multi-role fighter aircraft program to include design and construction services, new parking/loading ramps, hot cargo pads, taxiways, hangars, back shops, alert facilities, weapons storage areas, hardened shelters, squadron operations facilities, maintenance facilities, training facilities, information technology support and cyber facilities, force protection support facilities, squadron operations facilities, other F-15QA related support structures, construction/facilities/design services, cybersecurity services, mission critical computer resources, support services, force protection services, and other related elements of logistics and program support. The estimated cost is \$1.1 billion.

This proposed sale supports the foreign policy and national security objectives of the United States. Qatar is an important force for political stability and economic progress in the Persian Gulf region. Our mutual defense interests anchor our relationship and the Qatar Emiri Air Force (QEAF) plays a predominant role in Qatar's defense.

The proposed sale improves Qatar's capability to operate and sustain its F-15QA aircraft. A robust construction, cybersecurity, and force protection infrastructure is vital to ensuring the QEAF partners can utilize the F-15QA aircraft to its full potential. Qatar will have no difficulty absorbing this support into its armed forces.

The proposed sale of this construction, cybersecurity, and force protection infrastructure will not alter the basic military balance in the region.

The prime contractor for construction, cybersecurity, and force protection infrastructure will be determined through competition. The purchaser typically requests off-sets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of the construction, cybersecurity, and force protection aspects of this notification include the establishment of a construction office in Doha with as many as ten (10) U.S. Government civilians which will adjust in size as case workload varies. Anticipated contractor footprint for this effort is approximately fifteen (15) to fifty (50) personnel, which may vary based on phases of construction and establishment of required services.

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

## HEALTHCARE

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the article, "More ACA Plans to Come With No Premiums in 2018," by Anna Wilde Mathews and Christopher Weaver that was published in the Wall Street Journal on October 27, 2017.

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

## MORE ACA PLANS TO COME WITH NO PREMIUMS IN 2018

Insurers selling Affordable Care Act plans have a compelling new pitch: free health insurance.

When sales of plans on the law's exchanges begin Nov. 1, a growing number of consumers around the country will be able to get coverage for 2018 without paying any monthly premium, according to health insurers and an analysis of newly available federal data.

In nearly all of the 2,722 counties included in the data, some consumers will be able to obtain free health insurance because they qualify for larger federal premium subsidies that cover the full cost of a plan, according to the new analysis.

The growing availability of no-premium plans is a side effect of a decision by President Donald Trump's administration to end federal payments that are used to reduce out-of-pocket costs, such as deductibles, for low-income enrollees. The administration didn't halt—and indirectly bolstered—the federal subsidies that help consumers with their insurance premiums.

The new analysis doesn't project exactly how many consumers could be eligible for the no-premium plans, a figure that depends on variables including people's income, household size, age, location and access to other types of health coverage.

In the coming weeks, insurers are gearing up to promote the no-premium option. Amid uncertainty about the future of the 2010 health law, known as Obamacare, many insurers have pulled back from the law's marketplaces. Many of the remaining ones are worried about losing enrollment next year—largely among consumers who aren't eligible for subsidies and won't be able to get premium-free plans.

Insurers hope the no-premium insurance draws in more enrollees, particularly those they need most: people with few health needs. Healthy consumers help bolster the stability of the market by balancing out the health costs of sicker enrollees.

"We absolutely will be promoting this opportunity to get coverage at a zero price,"