

Hirono, Tim Kaine, Brian Schatz, Cory A. Booker.

LEGISLATIVE SESSION

Mr. SCHUMER. Finally, I move to proceed to legislative session.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 40.

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

The clerk will report the nomination. The legislative clerk read the nomination of Gordon P. Gallagher, of Colorado, to be United States District Judge for the District of Colorado.

CLOTURE MOTION

Mr. SCHUMER. Madam 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 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 Executive Calendar No. 40, Gordon P. Gallagher, of Colorado, to be United States District Judge for the District of Colorado.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Jeanne Shaheen, Elizabeth Warren, Mazie Hirono, Sheldon Whitehouse, Richard Blumenthal, Christopher A. Coons, Jack Reed, Gary C. Peters, Angus S. King, Jr., Alex Padilla, Tim Kaine, Brian Schatz, Cory A. Booker.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, February 27, be waived.

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

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

NOMINATION OF JAMAR K. WALKER

Mr. KAINE. Madam President, I rise in support of Jamar Walker, who has been nominated as U.S. district court judge for the Eastern District of Virginia, Norfolk Division. We will be voting in a few minutes on Mr. Walker's nomination. He is an assistant U.S. attorney for the EDVA, where he currently serves as the Acting Chief for the Financial Crimes and Public Corruption Unit.

Mr. Walker was raised by a single mother on the Eastern Shore of Virginia, where he attended public schools, graduating from Nandua High School in Accomack County, VA. He is a double graduate of the University of

Virginia and clerked for Judge Raymond Jackson, whose seat he has been nominated to fill in a particularly nice turn of events. Mr. Walker counts Judge Jackson as among his mentors who inspired in him not just a life of service but also a deep commitment to the Commonwealth of Virginia and the Eastern Shore.

Following his clerkship, Mr. Walker worked first as an associate at Covington & Burling, where he actually was an associate for one of my best friends, the head of the litigation section there, John Hall, who speaks very highly of Jamar Walker. Then he joined the U.S. Attorney's Office in the Eastern District of Virginia.

Given his deep history with the EDVA, it will come as no surprise that Mr. Walker has broad support in this very important court, starting with Judge Jackson. In his letter of support, Judge Jackson observes that Mr. Walker "has the intellectual prowess, integrity, and temperament that is fundamental in the position of a Federal judge." Former U.S. attorneys in the Eastern District Dana Boente and Zach Terwilliger note that Mr. Walker "is a person of unimpeachable character who is known by the bench and bar for his keen intellect, decency, sober judgment, and humility."

As you can see, Mr. Walker would be serving the same community that raised him, where he has deep ties and is widely respected. For these reasons, Jamar Walker received a "well qualified" rating from the American Bar Association.

His nomination is also historic in that, once confirmed and sworn in, Mr. Walker will be the first openly LGBTQ Federal district judge in Virginia.

I practiced in this court for 17 years. It is justifiably called the rocket docket because it has one of the fastest times from filing a case to trial of any district in the United States—6 months from filing a case to trial. Such speed is tough on the judges, and it is tough on the lawyers, but the EDVA does it because, for the litigants, the ability to know that they will have their claim heard within 6 months is a wonderful, wonderful thing.

The EDVA is also a little bit unique because its proximity to the Pentagon and the CIA and Federal Government Agencies gives it a docket that has a high percentage of national security cases. Mr. Walker's experience in and knowledge of the EDVA and his work on cases of that kind will be very critical to his success once he is confirmed.

In short, this is an exceptional nominee and historymaker who is well qualified to serve on a most unique court. He received a strongly bipartisan vote in the Judiciary Committee. I urge my colleagues to vote in support of his nomination.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. 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 Executive Calendar No. 16, Jamar K. Walker, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Charles E. Schumer, Richard J. Durbin, Sheldon Whitehouse, Martin Heinrich, Tim Kaine, Tammy Baldwin, Ben Ray Lujan, Tammy Duckworth, John W. Hickenlooper, Amy Klobuchar, Jack Reed, Jeanne Shaheen, Benjamin L. Cardin, Edward J. Markey, Alex Padilla, Margaret Wood Hassan, Catherine Cortez Masto.

The PRESIDING OFFICER. 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 Jamar K. Walker, of Virginia, to be United States District Judge for the Eastern District of Virginia, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Oregon (Mr. MERKLEY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BUDD), the Senator from Idaho (Mr. CRAPO), the Senator from Idaho (Mr. RISCH), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting the Senator from North Carolina (Mr. BUDD) would have voted "nay" and the Senator from Idaho (Mr. RISCH) would have voted "nay."

The yeas and nays resulted—yeas 52, nays 39, as follows:

[Rollcall Vote No. 25 Ex.]

YEAS—52

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Schatz
Booker	Kaine	Schumer
Brown	Kelly	Shaheen
Cantwell	Kennedy	Sinema
Cardin	King	Smith
Carper	Klobuchar	Stabenow
Casey	Lujan	Tester
Collins	Manchin	Van Hollen
Coons	Markey	Warner
Cortez Masto	Menendez	Warnock
Duckworth	Murkowski	Warren
Durbin	Murphy	Welch
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden
Grassley	Padilla	
Hassan	Peters	

NAYS—39

Blackburn	Hagerty	Ricketts
Boozman	Hawley	Romney
Braun	Hoeben	Rounds
Britt	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Lankford	Scott (FL)
Cornyn	Lee	Scott (SC)
Cotton	Lummis	Sullivan
Cramer	Marshall	Thune
Cruz	McConnell	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Paul	Young

NOT VOTING—9

Barrasso	Feinstein	Risch
Budd	Fetterman	Sanders
Crapo	Merkley	Tillis

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 52, the nays are 39, and the motion is agreed to.

The motion was agreed to.
The Senator from Minnesota.

LEGISLATIVE SESSION

MORNING BUSINESS

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and 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.

ARMS SALES NOTIFICATION

Mr. MENENDEZ. 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,
Washington, DC.

Hon. ROBERT MENENDEZ,
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. 23-18, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$506 million. We will issue a news release to notify the public

of this proposed sale upon delivery of this letter to your office.

Sincerely,

MIKE MILLER

(For James A. Hursch, Director).

Enclosures.

TRANSMITTAL NO. 23-18

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 Australia.

(ii) Total Estimated Value:

Major Defense Equipment * \$302 million.

Other \$204 million.

Total \$506 million.

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

Major Defense Equipment (MDE): Up to sixty-three (63) Advanced Anti-Radiation Guided Missiles-Extended Range (AARGM-ERs).

Up to twenty (20) AARGM-ER Captive Air Training Missiles (CATMs).

Non-MDE: Also included are AGM-88G Advanced Anti-Radiation Guided Missile-Extended Range Dummy Air Training Missiles (AARGM-ER DATMs), containers, component parts and support equipment; Repair of Repairables; software (Classified and Unclassified); publications (Classified and Unclassified); training (Classified and Unclassified); transportation; U.S. Government and contractor engineering support; and other related elements of logistical and program support.

(iv) Military Department: Navy (AT-P-ASA).

(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: See Attached Annex.

(viii) Date Report Delivered to Congress: February 27, 2023.

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

POLICY JUSTIFICATION

Australia—Advanced Anti-Radiation Guided Missiles-Extended Range (AARGM-ER)

The Government of Australia has requested to buy up to sixty-three (63) Advanced Anti-Radiation Guided Missiles-Extended Range (AARGM-ERs); and up to twenty (20) AARGM-ER Captive Air Training Missiles (CATMs). Also included are AGM-88G Advanced Anti-Radiation Guided Missile-Extended Range Dummy Air Training Missiles (AARGM-ER DATMs), containers, component parts and support equipment; Repair of Repairables; software (Classified and Unclassified); publications (Classified and Unclassified); training (Classified and Unclassified); transportation; U.S. Government and Contractor engineering support; and other related elements of logistical and program support. The estimated total cost is \$506 million.

This proposed sale will support the foreign policy and national security objectives of the United States. Australia is one of our most important allies in the Western Pacific. The strategic location of this political and economic power contributes significantly to ensuring peace and economic stability in the region. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

The proposed sale will improve Australia's capability to meet current and future threats by suppressing and destroying land or sea-based radar emitters associated with enemy air defenses. This capability denies

the adversary the use of its air defense systems, thereby improving the survivability of Australia's tactical aircraft. Australia 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 prime U.S. contractor will be the Javelin Joint Venture between Lockheed Martin in Orlando, FL and Raytheon Missiles and Defense in Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require U.S. Government personnel and U.S. Contractor representatives to visit Australia on a temporary basis in conjunction with program technical oversight and support requirements, including program and technical reviews.

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

TRANSMITTAL NO. 23-18

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 AGM-88G Advanced Anti-Radiation Guided Missile-Extended Range (AARGM-ER) weapon system is an air-to-ground missile intended for Suppression of Enemy Air Defenses (SEAD) and Destruction of Enemy Air Defenses (DEAD) missions. The AARGM-ER provides suppression or destruction of enemy RADAR and denies the enemy the use of air defense systems, thereby improving the survivability of our tactical aircraft. The AGM-88G AARGM-ER Captive Air Training Missiles (CATM) is used by pilots when training for SEAD/DEAD missions.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the 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. A determination has been made that Australia 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.

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

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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