

This pressure continued right up through March of this year.

Finally, in May, the Department of Defense was able to institute a screening procedure to get at this problem. And the costs charged to TRICARE have dropped dramatically—down to \$10 million per month.

Let me repeat that. The Department paid \$500 million for compound drugs in April. The Department changed its approval process, and it now pays \$10 million a month for compound drugs. I met with Assistant Secretary for Health Affairs Dr. Jonathan Woodson about this. He is confident that this safeguard—and others—will protect the taxpayer in the future. Regrettably, in this case, the horse ran out of the barn and cost the American taxpayer \$1.2 billion before anyone could stop these scams. But no one can escape the long arm of the law forever. The Department of Justice has opened more than 100 criminal investigations, and \$60 million has been recovered so far. The DOD has suspended 26 providers for wrongdoing, and identified 71 individuals or entities who are believed to be associated with these scheme.

As vice chairman of the Defense Appropriations Subcommittee, working with Chairman COCHRAN, we have the responsibility to look after how the Pentagon is spending its funds. I bring this episode to light because there are many lessons to be learned about the need to demand a bureaucracy agile enough to catch profiteers and about the ways that congressional oversight can hamper enforcement rather than encourage it. I hope my colleagues takes those lesson to heart.

I will also say that THAD COCHRAN and I will continue to root out these incidents wherever they occur and work in partnership with the department to provide for our servicemembers in ways faithful to the taxpayer.

RECOGNIZING WENDY WERTHEIMER

Mr. DURBIN. Mr. President, I want to acknowledge Wendy Wertheimer, an outstanding Federal employee who has spent decades working to advance the domestic and international HIV/AIDS research effort. Wendy is about to complete nearly 30 years of Federal service that began in the Senate and is now coming to an end at the National Institutes of Health.

Like many bright young people in Washington, Wendy began her career right here in the U.S. Senate, working for Senator Jacob Javits. Later she joined the legislative staff of what was then called the Senate Labor and Human Resources Committee, led by Chairman Edward Kennedy and Ranking Member Jacob Javits. Wendy's first assignment was the Venereal Diseases Control Act, which many on staff saw as a form of hazing for a new, young staff member. But Wendy was personally connected to the issue. Her grandfather had been the chair of Dermatology and Syphilology at a hospital in Pittsburgh and had conducted early

clinical studies of syphilis. She embraced the assignment, and the bill passed with bipartisan support. It was the first bill Wendy had ever worked on—she was off to a good start.

In 1979, the American Social Health Association established the first advocacy group for venereal disease control and research, and Wendy was offered a job as its director of government affairs. After hearing the news, Wendy's mother was horrified and told her she will never get another date because everyone will assume that she has a venereal disease. Wendy accepted the job anyway and became the first venereal disease, or VD, advocate in Washington. She was a pioneer in the field and began working on a number of new education and research training programs, including the National VD Hotline.

On June 5, 1981, the first cases of what we now know as AIDS were reported by the Centers for Disease Control and Prevention. By the end of 1981, five to six new cases of the disease were being reported each week and an epidemic of fear was breaking out. The American Social Health Association became one of the first organizations to advocate bringing attention to this disease, and Wendy found herself on the frontlines combatting the HIV/AIDS pandemic. In 1991, she was recruited by the NIH to help establish the Office of Research on Women's Health. And since 1992, Wendy has been the senior advisor, responsible for planning, policy, legislation and communications at the Office of AIDS Research at the NIH.

It is hard to imagine, but when Wendy Wertheimer began at the NIH, an AIDS diagnosis meant a sure and agonizing death. We have come a long way since the disease was first reported, and in many ways progress on HIV/AIDS is one of the most remarkable success stories in the history of biomedical research. Wendy Wertheimer shares in this success and the research accomplishments that led to lifesaving treatments and a hopeful future about what more can be achieved.

For more than two decades, Wendy has worked with Dr. Jack Whitescarver—the longest serving director at the Office of AIDS Research at NIH—who is also retiring this year. And here is what he said:

We have made critical and even breathtaking progress in AIDS research against many odds. We have been challenged to confront and address stigma, homophobia, racial disparities, and criticisms of the AIDS research investment. We have come a long way, but the AIDS pandemic is far from over and remains a threat to global populations. Any declaration that the end is near is premature, inaccurate, and perilous to progress against the pandemic.

He is right. Being HIV-positive is not the death sentence it once was, but the battle is far from over. And although Dr. Whitescarver and Wendy Wertheimer are retiring, the fight goes on, and the work continues. I want to thank them for all they have done and all they will do to combat this terrible

disease. They have set a high bar for the dedicated public servants who follow them.

I will close with this. I strongly believe in the role of public service to create change and make a difference. Wendy Wertheimer's years of service reflect these values. I am honored to congratulate her on a job well done, and I am lucky to count her as a friend.

REMEMBERING YOSHI KATSUMURA

Mr. DURBIN. Mr. President, last Sunday, the legendary chef Yoshi Katsumura passed away after a battle with cancer.

You would never guess that a 15-minute walk from Wrigley Field, where hot dogs and beer reign supreme, would take you to a place bringing together the foods of Tokyo, Paris, Lyon, and Chicago. But that is what Yoshi built at the quiet, unassuming place known simply as Yoshi's Café. Honored by his peers for the past 30 years of exquisite food preparation, Yoshi was a master of his art.

Yoshi was born in Japan's Ibaraki Prefecture—a region on the main island of Japan—in 1950. At the age of 20, he apprenticed under another legendary chef, Hiroyuki Sakai in Tokyo. Through Sakai, Yoshi began learning the complexities of French cooking.

In 1973, Yoshi ventured to Chicago, where he quickly advanced in fine French culinary arts. He studied under Chicago's first celebrity chef, Jean Banchet, at Le Francais. Yoshi would go on to refine his skills in Paris and Lyon, and he returned to Chicago as a chef and partner at the city's premier French fusion restaurant, Jimmy's Place. In 1982, Yoshi opened his own restaurant with his wife Nobuko, Yoshi's Place.

For more than three decades, Yoshi's Café has won the hearts and stomachs of Chicago and the country. Yoshi's has been featured on the Food Network and listed among "America's Top Tables" by *Condé Nast's* *Gourmet* magazine. His fusion of cultures brought diners to North Halsted Street for dishes like Hamachi tartare and the Wagyu burger.

If you look closely for a sign next to Yoshi's Café, you will find that Aldine Avenue east of Halsted is designated "Yoshi Katsumura Way." His way was creating wonderful food for his community and making it a better place. He served on the Northalsted Business Alliance board and organized charitable events, including Hurricane Sandy relief and aid for victims of the 2011 Japanese tsunami. And he always took the time to talk to his customers.

Loretta and I love Yoshi's. I once showed up at the restaurant on a Monday evening, forgetting it was closed. Stranded on the corner, trying to decide where to go, I heard someone call my name. It was Yoshi, who lived

above the restaurant, calling down to me and offering to fix a meal for me on his day off. That was the moment when service became friendship and I came to know the goodness of this man.

Yoshi was indeed a special kind of man. His last message was to keep Yoshi's Café going. He will be missed. Loretta and I send our prayers and thoughts to his wife, Nobuko; his daughter, Mari; his son, Ken; his brother Kazuhiro Katsumura; and grandson Hiro.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, we began this year with a new Republican majority in the Senate promising to govern responsibly. Unfortunately, this promise has so far proven hollow. Beginning with the shameful treatment of the nomination of Loretta Lynch to be Attorney General, the Republican leadership has used excuse after excuse to keep the Senate from voting on those nominated to serve in our justice system.

It took 4 months for the Republican majority to schedule a vote on a single judicial nomination. So far this year, the Republican-controlled Senate has allowed confirmation votes on just five judicial nominees. The slow trickle of confirmations is a dereliction of the Senate's constitutional duty to provide advice and consent on judicial nominees. Since the beginning of this year, the number of Federal court vacancies deemed to be "judicial emergencies" by the nonpartisan Administrative Office of the U.S. Courts has increased by 158 percent. There are now 31 judicial emergency vacancies that are affecting communities across the country. Many are concerned that this obstruction threatens the functioning of our independent judiciary, as Juan Williams recently pointed out. I ask unanimous consent that his column in *The Hill* titled "The GOP's judicial log jam" be printed in the RECORD.

There is a different way to lead. Similar to the balance of power today, in the last 2 years of the George W. Bush administration the Democrats were in control of the Senate. And by this time in 2007, when I was chairman of the Judiciary Committee, we had confirmed 26 judges. In contrast, this Congress, the Republican majority has confirmed just five judicial nominees appointed by President Obama. That is more than five times more judges confirmed under a Democratic majority with a President of the opposite party than today's Senate Republican majority.

The delay and obstruction is occurring even though all 14 of the current judicial nominees pending on the Executive Calendar have bipartisan support and were voted out of the Judiciary Committee by voice vote.

These nominees are highly qualified and deserve better treatment from Senate Republicans. Of great concern is the treatment of Judge Luis Felipe

Restrepo, who will fill an emergency vacancy on the U.S. Court of Appeals for the Third Circuit in Pennsylvania. Judge Restrepo was unanimously confirmed 2 years ago by the Senate to serve as a district court judge. I have heard no objection to his nomination. Yet it took 7 months just to get him a hearing in the Judiciary Committee.

He has strong bipartisan support from the two Pennsylvania Senators, and was voted out of the Judiciary Committee unanimously by voice vote. Once confirmed, Judge Restrepo will be the first Hispanic judge from Pennsylvania to ever serve on this court and only the second Hispanic judge to serve on the Third Circuit. He has the strong endorsement of the nonpartisan Hispanic National Bar Association, HNBA. At his hearing in June, Senator TOOMEY stated that "there is no question [Judge Restrepo] is a very well qualified candidate to serve on the Third Circuit" and underscored the fact that he recommended Judge Restrepo to the White House. Senator TOOMEY then described Judge Restrepo's life story as "an American Dream story" recounting how Judge Restrepo, born in Medellin, Colombia, came to the United States, became a U.S. citizen, and rose to the very top of his profession by "virtue of his hard work, his intellect, his integrity."

Given his remarkable credentials, recent Senate confirmation, and strong bipartisan support, you would think this Chamber would have confirmed Judge Restrepo months ago. No Senate Democrat opposes a vote on his nomination. Senate Republicans are the only thing holding up his nomination. I know Senator TOOMEY can be a fierce advocate for issues he cares passionately about, and I hope he will get a firm commitment from the majority leader on a date for a vote on his confirmation. The continued delay on such a qualified judicial nominee is a poor reflection on this body. I ask unanimous consent that a recent column by Carl Tobias in the *Pittsburgh Tribune-Review* titled "Confirm Judge Restrepo" also be printed in the RECORD.

Another eminently qualified nominee who is also strongly supported by the HNBA is Armando Bonilla. Mr. Bonilla has been nominated to serve on the U.S. Court of Federal Claims, and would be the first Hispanic judge to hold a seat on that court. Mr. Bonilla has spent his entire career—now spanning over two decades—as an attorney for the Department of Justice. He was hired out of law school in the Department's prestigious Honors Program, and has risen to become the Associate Deputy Attorney General in the Department. Despite these outstanding credentials, the junior Senator from Arkansas objected to a request to vote on his nomination, along with any of the four other nominations to the Court of Federal Claims. These CFC nominees have been waiting for more than 10 months for a vote, and were

twice voted out of the Judiciary Committee unanimously by voice vote.

Those who serve in this body understand that no one Senator can stop a judicial nominee from being confirmed. One Senator can stop a unanimous consent agreement, but not a vote. The delay and obstruction of the 14 judicial nominees pending on the Executive Calendar, including Judge Restrepo and Mr. Bonilla, is at the hands of the Republican leadership and in the hands of the other Republican Senators, who have allowed their leadership to delay these accomplished jurists and prosecutors, even when it hurts their own constituents.

Republican leadership can still reverse course and lead responsibly. Although they have only allowed 5 judicial nominees to be confirmed this year, they can make immediate progress by moving to confirm the 14 nominees pending on the Executive Calendar. They should schedule a vote for outstanding nominees like Judge Restrepo and Mr. Bonilla. They should schedule a vote for the pending judicial nominees from Missouri, California, New York, and Tennessee.

In the last 2 years of President Bush's tenure, the Democratic majority moved 68 district and circuit judges through the process to confirmation. In the last 2 years of President Reagan's tenure, a Democratic majority confirmed 85 judges. Let us go back to treating the Federal judiciary like the coequal branch that it is and hold confirmation votes on the nominees before us. There is no reason for the double standard based on who is in the majority. We made it clear we would not do that with President Reagan and President Bush. We should uphold the same standard for President Obama.

I hope that we return to the regular order that existed for the nominees of past administrations and clear the Senate Executive Calendar of consensus nominations before the upcoming recess. The time to act on the 14 consensus judicial nominations pending before the full Senate is now.

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

[From the Hill, July 27, 2015]

THE GOP'S JUDICIAL LOGJAM

(By Juan Williams)

As the hot Washington summer approaches August, the Senate's Republican majority is already on vacation from the work of confirming judges. At the current torpid pace, they will put the lowest number of judges on the federal bench in any year since 1969.

Do you think this crashed system for filling the federal bench has anything to do with the GOP Senate majority's distaste for the liberal in the White House—even if he was chosen by the American people twice as their president and given the constitutional authority to nominate judges?

Yes, this involves a heavy dose of simple obstruction by the GOP. Keep in mind that if it were not for Republican judges blocking President Obama's executive order on immigration, the GOP would have already lost that fight. So in a politically polarized nation, Republicans have reason to keep an eye on the partisan make-up of the courts.