

Ramsey Lewis has been playing the piano since he was 4 years old. He knew at a young age that he wanted to play classical piano. But a music teacher told him when he was still a boy to give up that dream because the world of classical music was not open to musicians with skin the color of Ramsey's.

Fortunately for all of us, Ramsey Lewis had the good sense to know that was nonsense. He has played and recorded countless forms of music—and helped to invent new forms. In doing so, he has helped to create a world where every child is freer to pursue his or her own dreams.

Mr. Lewis' August 8 performance with the Chicago Symphony Orchestra at Ravinia is a continuation of what the Chicago Tribune has called a "Ramsey Renaissance" as a composer. His collaborator in this new chapter of his career is Ravinia president and CEO Welz Kauffman, who commissioned Mr. Lewis to write a piano concerto for his CSO debut. In recent years, Mr. Kauffman has commissioned Mr. Lewis to write other pieces, including a jazz ballet for the Joffrey Ballet Company, and "Proclamation of Hope," a celebration of Abraham Lincoln on the bicentennial of his birth. Both works made their world premieres at Ravinia.

In 2002 Ramsey Lewis was chosen to carry the Olympic torch as it passed through Chicago on its run to Salt Lake City. With his debut with the CSO at Ravinia, Ramsey Lewis will light up the night sky again with his own special brilliance. What a joyous celebration it will be.

#### JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, earlier this month, the Senate Judiciary Committee approved the PATENT Act with a strong bipartisan vote. As the Senate continues to consider this important, balanced legislation aimed at curbing abusive patent litigation practices, it is critical that the court of appeals that considers patent claims be at full strength. Legislation alone cannot solve the problems facing Main Street businesses from abuses of the patent system; we also need dedicated judges, such as Kara Farnandez Stoll, on the bench to faithfully apply the law.

Ms. Farnandez Stoll was first nominated to serve on the U.S. Court of Appeals for the Federal circuit more than 7 months ago. Her hearing was held more than 3 months ago and 2 months ago she was unanimously reported by the Senate Judiciary Committee. The American Bar Association's Standing Committee on the Federal Judiciary unanimously rated her "well qualified" to serve on the Federal circuit—its highest possible rating. The Hispanic National Bar Association, the Federal Circuit Bar Association, and the American Intellectual Property Law Association strongly support her confirmation. Once confirmed, Ms. Farnandez Stoll will be the first woman of color

to serve on the Federal circuit. Yet her nomination has been languishing on the Senate Executive Calendar.

Nearly 6 months into this new Congress, the Republican leadership has scheduled votes to confirm only 4 district court judges. We have not confirmed a single judge this work period. Not one. This is simply unacceptable. In addition to Ms. Farnandez Stoll, there are 11 other consensus judicial nominations pending on the Senate Executive Calendar.

The other nominees pending on the calendar include five U.S. Court of Federal Claims, CFC, nominees. We are well past the 1 year anniversary of when each were first nominated and are closing in on the anniversary of all five having had hearings before they were first reported unanimously out of committee. The five CFC nominees were again reported out of committee unanimously at the beginning of this year. We have heard no opposition to any of these nominees, yet they have been in limbo for months and months because the Republican leader has refused to schedule a vote. The U.S. Court of Federal Claims is where our citizens go to seek redress against the Federal Government for monetary claims. The cases this court hears include claims of unlawful takings of private land by the U.S. Government without proper compensation under the fifth Amendment, claims of veterans seeking disability benefits for combat-related injuries, and vaccine compensation claims.

We are debating trade policy in the Senate, yet the nomination to fill one of four current vacancies on the U.S. Court of International Trade—CIT—has sat idle on the Senate Executive Calendar for months. Like the CFC nominees, the CIT nominee had a hearing last year, was favorably reported out of the Judiciary Committee unanimously by voice vote last Congress, and again earlier this year.

Also pending on the calendar are nominees to fill vacancies on the Western District of Missouri, the Western District of New York, and three nominees to fill judicial emergency vacancies—two on the Eastern District of New York and one on the Eastern District of California, all but one of whom were first nominated last year.

There is nothing keeping the Senate from confirming all 12 nominees—nothing, except for the mindset of delay for delay's sake, which is unfortunately the hallmark of the majority's leadership on judicial nominations.

The Senate has a duty to consider judicial vacancies no matter which party holds the majority. In the 17 months I chaired the Senate Judiciary Committee during President Bush's first 2 years in office, the Senate confirmed 100 Federal circuit and district court judges. I also served as chairman during the last 2 years of the Bush administration and we confirmed another 68 district and circuit court judges.

In contrast to the 4 district judges we have confirmed this year, when the

Democrats were in an equivalent position in the 7th year of the Bush administration, we had confirmed 18 judges—including 15 district and 3 circuit court judges—by June 24, 2007.

That's 18 judges under a Democratic majority compared to 4 under the Republican majority. That is nearly five times as many judges confirmed under a Democratic majority with a President of the opposite party than today's Senate Republican majority.

Nevertheless, the Republican majority continues to make excuses for their continued obstruction and delay on confirming President Obama's judicial nominees. Their excuse is that the Democratic majority was able to confirm those 18 judges by this date in 2007 only because those nominees were held over from the previous year. What the Republicans fail to note is that 6 of the 18 judges confirmed by June 24, 2007 first had their hearing in 2007, were reported out of committee without needless delay, and were confirmed promptly.

We began this Congress with 38 district and circuit court vacancies, including 12 vacancies deemed "judicial emergencies" by the nonpartisan Administrative Office of the U.S. Courts. While 38 is the lowest number of vacancies during the entire Obama administration, it is still higher than the low of 28 district and circuit court vacancies during the Bush administration, which was achieved due to Democratic cooperation.

There are now 55 district and circuit court vacancies, including 27 that have been deemed "judicial emergency" vacancies. Of the 55 vacancies, 41 are in States with at least one Republican home State Senator. Of great concern to the timely administration of justice are four circuit court vacancies that are "judicial emergencies"—two in Texas, one in Alabama, and one in Kentucky—that have each been vacant and without nominees for well over a year, including one Texas circuit court vacancy that has been vacant for nearly 3 years. These 3 States alone also account for 12 district court vacancies without a currently pending nominee, half of which are "judicial emergency" vacancies.

While I know that the senior Senator from Texas, who is also the assistant republican leader, likes to say that it is the President who "has to nominate the judges," we are all well aware of the central role home State Senators have in making recommendations to the President to fill vacancies in our States. I urge all Senators to work meaningfully with President Obama to get these vacancies filled.

As we head into July 4 recess, the Senate Republican leadership should be allowing us to clear the calendar of the 12 noncontroversial consensus judicial nominees to let them get to work for the American people.

I would remind the current majority leader of his floor remarks from June

2008, the last year of the Bush administration when Democrats held the majority in the Senate:

On the issue of judicial confirmations, my good friend the majority leader and I discussed this matter publicly at the beginning of this Congress, and we agreed that President Bush, in the last 2 years of his term, should be treated as well as President Reagan, Bush 41, and President Clinton were treated in the last 2 years of their tenures in office because there was one common thread, and that was that the Senate was controlled by the opposition party.

I hope he stays true to the words he spoke when the shoe was on the other foot. I urge the majority leader to immediately schedule a vote for Kara Farnandez Stoll and the CFC and CIT nominees so they can get to work serving the American people.

**BUDGETARY REVISIONS**

Mr. ENZI. Mr. President, section 4311 of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016, allows the chairman of the Senate Budget Committee to revise the allocations, aggregates, and levels in the budget resolution for legislation that would promote jobs in the United States through international trade. The authority to adjust is contingent on the legislation not increasing the deficit over either the period of the total of fiscal years 2016 to 2020 or the period of the total of fiscal years 2016 to 2025.

I find that Senate amendment 2065 fulfills the conditions of deficit neutrality found in section 4311 of S. Con. Res. 11. Accordingly, I am revising the allocation to the Committee on Finance and the budgetary aggregates to account for the budget effects of the amendment.

I ask unanimous consent that this notice and the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

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

**REVISION TO THE ALLOCATION TO THE COMMITTEE ON FINANCE**

(Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 4311 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$ Millions	2016	2016–2020	2016–2025
<b>Current Allocation:</b>			
Budget Authority	2,179,304	12,340,566	29,433,590
Outlays	2,169,584	12,321,005	29,408,581
<b>Adjustments:</b>			
Budget Authority	445	1,985	–5,414
Outlays	175	1,700	–5,382
<b>Revised Allocation:</b>			
Budget Authority	2,179,749	12,342,551	29,428,176
Outlays	2,169,759	12,322,705	29,403,199

**BUDGET AGGREGATES BUDGET AUTHORITY AND OUTLAYS**

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4311 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$ Millions	2016
<b>Current Aggregates:</b>	
Budget Authority	3,032,343
Outlays	3,091,098
<b>Adjustments:</b>	
Budget Authority	445
Outlays	175

**BUDGET AGGREGATES BUDGET AUTHORITY AND OUTLAYS—Continued**

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4311 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$ Millions	2016
<b>Revised Aggregates:</b>	
Budget Authority	3,032,788
Outlays	3,091,273

**BUDGET AGGREGATE REVENUES**

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 4311 of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

\$ Millions	2016	2016–2020	2016–2025
<b>Current Revenue Aggregate</b>	2,676,733	14,412,516	32,237,371
Adjustment	–766	3,398	–4,272
<b>Revised Revenue Aggregate</b>	2,675,967	14,415,914	32,233,099

**SHULKIN CONFIRMATION**

Mr. ISAKSON. Mr. President, I rise today to speak on the nomination of Dr. David J. Shulkin to be the next Under Secretary for Health for the U.S. Department of Veterans Affairs.

I was pleased that Dr. Shulkin’s nomination was confirmed by the Senate last night. The Veterans Health Administration, which he will oversee, has not had a permanent leader for more than 1 year. In my view, it is important to have permanent leadership in place to address a number of ongoing issues at the Veterans Health Administration, including properly implementing the Veterans Access, Choice, and Accountability Act of 2014, to give veterans the option of accessing care in their communities and ensure managers are held accountable for any lapses in customer service; improving care and support for victims of military sexual trauma; helping to eradicate homelessness among veterans; ensuring that veterans have access to timely and adequate mental health care; reducing the systemic problems with over-prescription of opioids; and providing appropriate gender-specific services for the growing population of women veterans.

Dr. Shulkin has roughly 20 years of experience serving in leadership roles at hospitals and health care systems. I hope he can use that experience to provide the stability and leadership needed to start overcoming the serious challenges that the Veterans Health Administration continues to face. Providing a permanent leader is a significant step in ensuring that the Veterans Health Administration is providing our Nation’s veterans with the level of care and service they have earned and they deserve.

I thank my colleagues for their assistance in filling this important role at VA.

**SHULKIN AND COUNCIL CONFIRMATIONS**

Mr. BLUMENTHAL. Mr. President, last night, the Senate confirmed David Shulkin to be the Under Secretary for

Health and LaVerne Council to be the Assistant Secretary for Information and Technology at the Department of Veterans Affairs, VA.

Let me begin by thanking Chairman ISAKSON for making the confirmation of Dr. Shulkin and Ms. Council a priority for this Congress.

Dr. Shulkin comes to the Veterans Health Administration, VHA, with significant experience managing complex health care organizations. Prior to being confirmed as Undersecretary of Health Dr. Shulkin was the president of Morristown Medical Center where he oversaw a 658-bed facility that has received countless awards for its excellence in care. During his confirmation hearing before the committee, Dr. Shulkin stated, “We all agree that the status quo is simply not acceptable. I want to assure you that, if confirmed, it would be my sole mission each and every day to transform the VA health system into one that provides our veterans with the highest level of quality care.” Given the challenges that face VA, I look forward to working with Dr. Shulkin to ensure the status quo does not persist. I am committed to ensuring VA provides high-quality care options to veterans.

Ms. Council has significant private sector experience in managing global information and technology programs, including service as the first global chief information officer at Johnson & Johnson and leading the consolidation of 250 operating companies across 57 countries in the world. I trust that her experience will allow her to navigate ongoing issues around health data interoperability between VA and DOD, and I look forward to collaborating with her to make this a practical reality for VA and DOD clinicians and veteran patients. At a time when data security is being tested by dramatic increases in malware and intrusion attempts, it is more critical than ever to have a permanent leader in place to remediate known security deficiencies and ensure that health and personal data remains secure in VA systems. I am committed to doing right by veterans on this critical issue.

VA continues to lurch from crisis to crisis, facing health care funding shortfalls, construction cost overruns, growing patient wait times, insufficient collaboration between VA and DOD, and a backlog of disability compensation claims and appeals. In the face of these crises, these nominees will assume two of the toughest jobs in government given all of the attention VA has received of late. VA’s culture has been described as corrosive and nonresponsive, and there continues to be a need for a significant change in the culture at VA. I expect both Dr. Shulkin and Ms. Council to use their expertise and experience to make these changes and improve VA services for veterans.

Finally, I would like to highlight one additional area of concern. There are far too many key leadership positions at VA that remain unfilled. There are