

judicial officers, its caseload continues unabated. She wrote that “[t]he statutory requirements dictating deadlines for certain types of cases unique to our court, including government contract disputes—some of which involve national defense and national security—remain in effect. The dollar amounts in dispute in our currently pending cases, which are often an indication of the complexity of the underlying issues, are in the billions of dollars. At least three different cases on the court’s pending docket reflect a demand for damages greater than forty billion dollars.”

This is no ordinary court. The Senate Republicans’ insistence on delaying the confirmation of qualified nominees to the Court of Federal Claims harms its ability to resolve issues of national importance in a timely and just manner. Since February 2013, the U.S. Court of Federal Claims has been operating with several vacancies. Only 11 of the 16 seats on the court are occupied by active judges.

We could have a court working at full strength if we confirm the five pending on the Senate Executive Calendar. All five of them were all nominated more than a year ago and have twice been voted out of the Judiciary Committee by unanimous voice vote. I have heard no objections to any of the five nominees to this court. There is no good reason to delay filling these vacancies.

This is especially the case because the nominees before us are superbly qualified. One of the nominees, Armando Bonilla, would be the first Hispanic judge to hold a seat on the court. He is strongly endorsed by the Hispanic National Bar Association. He 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.

Armando Bonilla’s story is that of the American dream. The son of a Cuban immigrant and Cuban-American father, Armando Bonilla has told the story of his mother’s flight from Havana with his aunt and his grandmother. He has told the story of his “Tí Mario,” who eventually disappeared trying to help other exiles. And he has told the story of his father, who dropped out of high school but would subsequently serve the country by joining the Marines and would ultimately take on several jobs to support Armando and his sister. As Mr. Bonilla has beautifully described, his father “exemplified the most outstanding qualities of the Hispanic culture and Hispanic people: the selfless sacrifice, the steely resolve and unbridled optimism and the genuine pride in an honest day’s work—all toward the cause of improving the lives of the next generation.” Mr. Bonilla should be confirmed without further delay.

Another nominee, Jeri Somers, retired with the rank of Lieutenant Colo-

nel in the U.S. Air Force. She spent over two decades serving first as a judge advocate general and then as a military judge in the U.S. Air Force and the District of Columbia’s Air National Guard. In 2007, she became a board judge with the U.S. Civilian Board of Contract Appeals and currently serves as its vice chair.

Armando Bonilla and Jeri Somers are just two of the five nominees that Senate Republicans have been obstructing. These are two individuals that have done right every step of the way in their careers and are willing to serve on this important court. They have dedicated the majority of their careers in service to our Nation. They deserve better than the treatment they are receiving now.

During the Bush administration, the Senate confirmed nine judges to the Court of Federal Claims—with the support of every Senate Republican. So far during the Obama administration, only three CFC judges have received confirmation votes. That is nine CFC judges during the Bush administration to only three so far in the Obama administration.

Unfortunately, the disparity in treatment of these nominees by Senate Republicans is not surprising. More than half a year into this new Congress, the Republican leadership has scheduled votes to confirm only five district and circuit court judges. This is in stark contrast to the 25 district and circuit court judges confirmed by July 13, 2007, when the shoe was on the other foot and Democrats had regained the Senate majority in the seventh year of the Bush administration. That is 25 district and circuit court judges under a Democratic majority compared to 5 under the Republican majority. That is five times as many judges confirmed under a Democratic majority with a President of the opposite party than today’s Senate Republican majority.

It is up to the majority leader now to treat President Obama’s judicial nominees fairly. I ask that he schedule votes this week on the five Court of Federal Claims nominees pending on the Senate Executive Calendar.

I ask unanimous consent that a recent post to The Hill’s Congress Blog by Professor Carl Tobias on the need to fill the vacancies on U.S. Court of Federal Claims be printed in the RECORD.

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

[From The Hill, July 9, 2015]

FILL THE U.S. COURT OF FEDERAL CLAIMS
VACANCIES
(By Carl Tobias)

The United States Court of Federal Claims was the most important federal court that many Americans had never heard of until last month. That is when Judge Thomas Wheeler of this court ruled that Hank Greenberg and AIG shareholders had proved that the federal government exceeded its authority by demanding an eighty percent equity stake in AIG during the great recession but that plaintiffs were not entitled to damages because they suffered no economic loss.

More critical than this high profile case is the fact that the court has experienced vacancies in five of its judgeships for more than a year, while the well qualified, consensus nominees whom President Barack Obama first tapped for those openings in 2014 have languished awaiting confirmation. Because the Court of Federal Claims needs its full complement of judges to deliver justice and each nominee is highly qualified and uncontroversial, the Senate must expeditiously provide the nominees floor debates, if warranted, and up or down votes.

This tribunal is the court in which citizens seek redress against the federal government for monetary claims. These include claims that the U.S. has taken private property without just compensation under the Fifth Amendment, claims pursued by veterans who seek disability payments for injuries received in combat and claims for compensation filed by persons who allege vaccines injured them. The tribunal’s recent caseload has increasingly encompassed complex, high-dollar cases and high profile disputes in fields, such as the 1980s savings and loan crisis and Second World War internment of Japanese Americans by the United States.

On April 10, 2014, Obama nominated Judge Nancy Firestone for reappointment and Thomas Halkowski to fifteen year terms, while on May 21, the White House nominated Armando Bonilla, Patricia McCarthy and Jeri Somers. Obama first nominated all five of the candidates more than one year ago, and they received Judiciary Committee hearings nearly a year ago. The panel unanimously reported all five out of committee rather soon after the hearings. Unfortunately, the Senate accorded none of the nominees a final vote before the 114th Congress adjourned.

Therefore, the White House renominated the five candidates in early January 2015. The Judiciary Committee in turn unanimously approved the nominees without substantive discussion in February. The five nominees have since languished on the floor over four months awaiting debates and yes or no ballots. In a June 24 Congressional Record statement, Sen. Patrick Leahy (D-Vt.), the Judiciary Committee Ranking Member, urged swift votes: “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.”

Now that the Senate has returned from its July 4 recess, one of the chamber’s first items of business must be debates and votes on the five Court of Federal Claims nominees. The tribunal needs all of the judges whom Congress has authorized to dispense justice for members of the public who seek redress because they claim that the federal government has injured them.

ADDITIONAL STATEMENTS

RECOGNIZING THE 15TH ANNIVERSARY OF THE COLORADO DRAGON BOAT FESTIVAL

• Mr. GARDNER. Mr. President, today I commemorate the annual Colorado Dragon Boat Festival on their 15th-anniversary celebration taking place on July 18 and 19 at Sloan’s Lake in Denver, CO.

The Dragon Boat Festival is a ritual that is more than 2,000 years old. This sporting event has spread to cities around the world, and Denver’s Dragon

Boat Festival is no exception. This cultural event celebrates Colorado's diverse Chinese and Taiwanese population. Thousands of competitors and spectators alike gather downtown for this annual race.

The Colorado Dragon Boat Festival has been recognized as one of Denver's largest and most prolific cultural events. In 2011, the CDBF earned the Denver Mayor's Diversity Award. In 2013, the event received the Denver Mayor's Award for Excellence in Arts and Culture. Additionally, Director Erin Yoshimura was the first Asian American to win the Boettcher Foundation's Livingston Fellowship.

As chairman of the Senate Foreign Relations Committee's Subcommittee on Asia, the Pacific and International Cybersecurity Cooperation, I am dedicated to strengthening relationships with our Asian communities at home and abroad.

Best of luck to the 52 teams competing in this year's race, and I look forward to many more years of celebrating the Colorado Dragon Boat Festival.●

TRIBUTE TO COL RHONDA D. SMILLIE

● Mr. JOHNSON. Mr. President, I wish to pay tribute to Col Rhonda Smillie of the U.S. Army Reserve who retired in May 2015 with more than 32 years of service and who, for the past 2 years, has served as a legislative liaison for the chief, Army Reserve. I am grateful for her life of service to the Army Reserve and wish her well as she transitions into retirement.

A native of Fort Atkinson, WI, Rhonda was commissioned via the Reserve Officer's Training Corps Program at the University of Wisconsin-Whitewater, and went on to earn advanced degrees from Lindenwood University in St. Charles, MO, and from the U.S. Army War College in Carlisle, PA.

Currently serving as the legislative liaison for the chief, Army Reserve, with responsibility for 19 States, Colonel Smillie travels extensively throughout her territory. From Ohio to Washington, from North Dakota to Missouri, she conducts education and outreach events that ensure community leaders understand the impact of the Army Reserve. Her efforts highlight key aspects of the Army Reserve that otherwise go unnoticed such as providing medical and dental assistance to underserved communities in northern Montana, providing cost effective training via Chinook helicopter simulators in Kansas, and working to ensure returning soldiers receive necessary support via the Yellow Ribbon Program in various States. She has helped to highlight the Public Private Partnership and other programs unique to the Army Reserve.

Prior to assignment as a legislative liaison, she served as the deputy director, Military Personnel Management, Department of the Army Headquarters,

G-1. On points of law and policy she was trusted to consider the needs of the Army, the Army Reserve, and soldiers and families. She expertly assisted in developing personnel policies to keep pace with an Army engaged in persistent conflict while simultaneously drawing down the force.

With more than 20 years of Active Duty in support of the Army Reserve, Colonel Smillie's distinguished career is marked by tremendous accomplishments, impacting across the breadth and depth of the Army. Her distinctive leadership in positions demanding the utmost trust and responsibility, coupled with her exceptional professionalism and selfless service, will have a lasting positive impact on Army personnel readiness.

It is only fair and proper to acknowledge the tireless support of her husband, Mr. Douglas Bryan Way, and their son, Truman Douglas Smillie Way, as it enabled her to work tirelessly on her assigned duties. Let us thank them all for their sacrifices and wish them continued success in the future.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5. An act to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes.

H.R. 6. An act to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes.

H.R. 2647. An act to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.

The message also announced that the Speaker appoints the following Members as additional conferees in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1735) to author-

ize appropriations for fiscal year 2016 for military activities of the Department of the Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes:

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction within that committee under clause 11 of rule X: Messrs. NUNES, KING of New York, and SCHIFF.

From the Committee on Education and the Workforce, for consideration of secs. 571 and 573 of the House bill and secs. 561-63 of the Senate amendment and modifications committed to conference: Messrs. ROKITA, BISHOP of Michigan, and SCOTT of Virginia.

From the Committee on Energy and Commerce, for consideration of secs. 314, 632, 634, 3111-13, 3119, 3133, and 3141 of the House bill and secs. 601, 632, 3118, and 3119 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, BARTON, and PALLONE.

From the Committee on Foreign Affairs, for consideration of secs. 1011, 1059, 1090, 1092, 1201, 1203-5, 1215, 1221, 1223, 1226, 1234-36, 1247-49, 1253, 1257, 1263, 1264, 1267, 1270, 1301, 1532, 1541, 1542, 1663, 1668-70, 2802, 3118, and 3119 of the House bill and secs. 1011, 1012, 1082, 1201-05, 1207, 1209, 1223, 1225, 1228, 1251, 1252, 1261, 1264, 1265, 1272, 1301, 1302, 1531-33, 1631, 1654, and 1655 of the Senate amendment and modifications committed to conference: Messrs. ROYCE, MARINO, and ENGEL.

From the Committee on Homeland Security, for consideration of secs. 589 and 1041 of the Senate amendment, and modifications committed to conference: Mr. McCAUL, Mrs. MILLER of Michigan, and Mr. THOMPSON of Mississippi.

From the Committee on the Judiciary, for consideration of secs. 1040, 1052, 1085, 1216, 1641, and 2862, of the House bill and secs. 1032, 1034, 1090, and 1227 of the Senate amendment, and modifications committed to conference: Messrs. GOODLATTE, ISSA, and CONYERS.

From the Committee on Natural Resources, for consideration of secs. 312, 632, 634, 2841, 2842, 2851-53, and 2862 of the House bill and secs. 313, 601, and 632 of the Senate amendment, and modifications committed to conference: Messrs. COOK, HARDY, and GRIJALVA.

From the Committee on Oversight and Government Reform, for consideration of secs. 602, 631, 634, 838, 854, 855, 866, 871, 1069, and 1101-05 of the House bill and secs. 592, 593, 631, 806, 830, 861, 1090, 1101, 1102, 1104, 1105, 1107-09, 1111, 1112, 1114, and 1115 of the Senate amendment, and modifications committed to conference: Messrs. HURD of Texas, RUSSELL, and CUMMINGS.

From the Committee on Rules, for consideration of sec. 1032 of the Senate amendment, and modifications committed to conference: Messrs. SESSIONS, BYRNE, and Ms. SLAUGHTER.