

never notify victims that they have a right under the CVRA to confer with the prosecutors.

In light of all this, I am writing to ask you several questions. First, when will you send an answer to the questions I raised in my June 6, 2011 letter? Second, why is the Department failing to follow the CVRA's plain language, as interpreted by these court decisions, and delaying extending crime victims their CVRA rights until after formal charges have been filed? And third, what is the Department doing to implement the Fifth Circuit's binding decision in *In re Dean* that crime victims can have rights under the CVRA even before criminal charges are filed?

Sincerely,

JOHN KYL,  
United States Senator.

#### AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT

##### CDBG FUNDING

Mr. CONRAD. Mr. President, as the chairman and ranking member of the Transportation-HUD appropriations subcommittee are aware, I, along with Senators HOEVEN, LEAHY, SANDERS, BLUNT, MENENDEZ, LAUTENBERG, GILLIBRAND, BAUCUS and SCOTT BROWN have filed an amendment, Senate amendment No. 839, to add \$600 million in supplemental community development block grant, CDBG, funding. We deeply appreciate the inclusion of \$400 million in supplemental CDBG funds to aid communities impacted by disasters this year. However, given the magnitude of the damage just in my State of North Dakota from flooding this year, I am deeply concerned that this level of funding will not meet the needs. As many of my colleagues know, the city of Minot, ND, was devastated by a historic flood that impacted more than 4,100 homes and forced the evacuation of 11,000 people. The road to recovery will be long. CDBG offers an important component of the flood recovery effort to assist with buyouts and assistance to homeowners and businesses to repair the damage. My State alone has identified a need of at least \$235 million for CDBG funds. We would like to work with the chairman and the ranking member of the subcommittee in conference to make sure there are sufficient resources for CDBG to meet the needs that exist in my State as well as others most impacted by this year's disasters.

Mr. HOEVEN. Mr. President, we have seen flooding of historic proportion in North Dakota this year, and, as you know, other States have also sustained severe damages from hurricanes, tornadoes, wildfires and a range of natural disasters. In Minot, my hometown, friends and neighbors were forced to evacuate their homes and live day-to-day in makeshift accommodations. Some are not yet in temporary FEMA housing as winter approaches. Almost as severe as the impact of the floodwaters, however, is the anxiety of not knowing when and how much help is forthcoming from the federal govern-

ment. The State of North Dakota, local communities, and the Federal Government are already providing extensive assistance, but uncertainty over housing and infrastructure persists in the aftermath of this disaster. We took an important step forward in the Appropriations Committee 6 weeks ago when we approved \$400 million in supplemental CDBG funding, which goes directly to help with housing for people who have lost their homes. We are grateful to the subcommittee for approving that appropriation, but I am here to tell you there is more to be done. We look forward to working with subcommittee Chairwoman MURRAY and Ranking Member COLLINS to ensure that we do all we can to maximize CDBG assistance to those in need, not just in North Dakota, but across the Nation.

Mr. LEAHY. Mr. President, some of the worst damage caused by disasters around the country has been to the houses, mobile homes and apartments where families have built their lives and made their homes. In Vermont, entire mobile home developments were washed away in Hurricane Irene's fury. Where homes once stood, now lies a path of damage, destruction and heartbreak. Our small State's ability to build new homes depends greatly on support from Federal safety net programs, like the \$400 million in emergency community development block grant funding that we have worked to include in this bill. While this emergency funding is a first step in addressing the urgent housing needs of States like Vermont that have been struck by natural disasters, we know that much more will be needed to help our decimated towns and communities, and their citizens, get back on their feet. I look forward to working with the chairman and ranking member of the subcommittee to ensure that homeowners, businesses and towns have the assistance they need to begin the long rebuilding process. I have not seen damage and destruction of this magnitude in Vermont in my lifetime. Vermont and other states that were hit by Irene are stretched to the limit right now, and just as the victims of past disasters throughout the country were able to rely on their fellow Americans' help in their time of need, so should Vermonters be able to count on a helping hand when they need it most.

Mrs. MURRAY. Mr. President, I recognize the incredible impact of the disasters in your States and other States across the country this year and agree that CDBG is an effective tool in helping aid recovery efforts. The Senators from North Dakota and the Senator from Vermont have been strong advocates for this badly needed assistance. I pledge to work with them to ensure that communities impacted by this year's disasters have the support they need to recover.

Mr. BLUNT. Mr. President, over the past year, Missouri and the entire country have faced numerous natural

disasters that devastated the livelihoods of people in our communities. As we work to rebuild, the scope of these events has placed unusual logistical and financial pressures on rebuilding efforts. Disaster community development block grants provide communities with vital short-term and long-term recovery funds that pick up where FEMA funding leaves off. The \$400 million that is included in the transportation; housing and urban development appropriations bill is a step in the right direction. I am thankful for the opportunity to join with Chairman MURRAY, Ranking Member COLLINS and my other colleagues in expressing the importance of these funds for the communities rebuilding after disaster. I look forward to continuing our work together to make sure that disaster community development block grants get the funds necessary to meet disaster needs in Missouri and throughout the country.

Ms. COLLINS. Mr. President, disasters have affected nearly every State this year, and several States were hit particularly hard with devastating tornadoes and historic flooding. CDBG disaster recovery funding is an important tool that has helped States and communities address recovery needs related to infrastructure, housing, and economic development. I recognize that supplemental CDBG funding is important for communities recovering from disasters, and I look forward to working with my colleagues to help communities throughout the Nation.

Mr. CONRAD. Mr. President, I thank the chairman and the ranking member for their support. We look forward to working with them to ensure our communities have the resources necessary to recover from these devastating disasters.

#### EMERGENCY JUDICIAL RELIEF ACT

Mr. GRASSLEY. Mr. President, I would like to alert my colleagues that I intend to object to any unanimous consent agreement for the consideration of S. 1014, the Emergency Judicial Relief Act of 2011. While the sponsors of the legislation adopted one amendment I offered during debate in the Judiciary Committee, and that amendment improves the legislation, the bill remains deeply flawed and I cannot support it.

I oppose S. 1014 in its current form for a number of reasons, and I will just briefly describe them here. First, I believe strongly that we should analyze critically any expansion of the Federal Government, and first and foremost, determine whether there is a more efficient and cost effective way to allocate taxpayer resources. This is especially true during a time when our Federal debt is at historic levels.

In its current form, this legislation creates 10 new judgeships and converts two judgeships from temporary to permanent. The legislation does not pay

for the increased spending by cutting a corresponding amount of Federal spending. Rather, it raises the filing fees imposed on litigants.

The sponsors of the legislation have argued, based on caseload statistics, that these districts have some of the highest caseloads in the country. That may be true if you believe that the caseload statistics accurately describe how busy a particular district is. I am not arguing, today, that these statistics are necessarily inaccurate, but I would simply note that there have been some questions raised over the years regarding how well those statistics describe the caseloads. Regardless, based on those same statistics, there are other districts that are slow and getting slower.

If we conclude that some districts are disproportionately busy, and therefore conclude that we should increase the number of judgeships in those districts, then it only makes sense to offset the increase in judgeships by reallocating judicial resources away from districts that are slow. For this reason, I offered an amendment in the Judiciary Committee that would have reduced the number of judgeships in other districts by a total of 10. I will not take the time here to go through the statistics in each of the districts where I proposed eliminating judgeships. Suffice it to say, in each district slated for a reduction, the caseloads have decreased over the last 5 years, with the exception of 1 district, where the caseload has remained flat. And, even after you reduce the number of judgeships in these districts, they would still have caseloads that are well below the national average, across all 94 districts. If we are going to add judgeships, I believe this is the most appropriate way to do it.

The amendment I proposed in committee would also have delayed the effective date for the creation of the new judgeships until after the next Presidential election. Because none of us knows for certain who will be sworn in as President in January 2013, delaying the effective date would remove politics from the debate. Not only would it remove politics from the discussion, but it is consistent with how this issue was handled in the past. For instance, when the chairman of the committee introduced legislation to create additional judgeships during the 110th Congress, this is the approach he embraced.

Finally, I would note that the sponsors of the bill agreed to adopt a separate amendment I offered in the Judiciary Committee that would extend Whistleblower protection to Judicial Branch employees. This is an improvement. My amendment ensures that Judicial Branch employees are not simply left without redress when they face retaliation for blowing the whistle on fraud, waste, abuse, and mismanagement. While I appreciate the bill's sponsors' willingness to adopt my amendment, and I believe it is an im-

provement, the underlying legislation remains deeply flawed for the reasons I have discussed. Therefore, I must oppose it. I urge my colleagues to do the same.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO JOHN BRUCE

• Mr. LEVIN. Mr. President, John Bruce will retire as the associate director for the Support Equipment Product Support Integration Development on December 3, 2011, his 94th birthday. His retirement is particularly noteworthy because John enjoys the distinction of being the oldest and longest-serving employee of the U.S. Army. This momentous occasion will be fittingly marked by a celebration in his honor with his colleagues, family and friends in Warren.

John Bruce began his service in the U.S. Army in 1942 during World War II as a member of the Army Signal Corps. He was stationed in the South Pacific as an intercept operator. After being honorably discharged in 1946, John began his civilian career at the Detroit Arsenal in Warren, MI as a cost/price analyst. In the ensuing decades, Mr. Bruce has held a number of positions of increasing responsibility at the Detroit Arsenal. He was an integral contributor to the reorganization of the Defense Department and helped to consolidate and centralize the Military Services field activities, which later became the Defense Logistics Agency.

John Bruce has dedicated his life to serving our country and has accomplished much in his long and illustrious career. John's accomplishments throughout his career have been publicly recognized through a number of citations and awards, including the 1975 Secretary of the Army Award; 1983 Commanders Award for Exceptional Civilian Service; 1990 Meritorious Civilian Service Award; 1991 Achievement Medal for Superior Civilian Service; and 2002 Department of the Army Decoration for Exceptional Service.

I know my Senate colleagues join me in congratulating John Bruce and honoring his distinguished record of service to our country as he retires on his 94th birthday. John has left a lasting impact on our Nation's security, and he will be deeply missed by his colleagues. I wish him the best as he embarks on the next chapter of his life.●

##### TRIBUTE TO DR. VIVIAN PINN

• Ms. SNOWE. Mr. President, please allow me to join with family, friends, and colleagues in extending my heartfelt congratulations to Dr. Vivian Pinn on her retirement as Director of the Office of Research on Women's Health at the National Institutes of Health after two decades of exceptional service for women in our Nation.

First and foremost, let me say it has not only been a privilege to work with

her over the years to advance women's health policy, but to call her my friend as well. In fact, just this past February, Vivian was in my office where I had the extraordinary honor of receiving the prestigious Women's Health Research Visionary Award. As one of two recipients this year the other being my good friend and colleague, Senator BARBARA MIKULSKI of Maryland, one of the Senate's greatest advocates and indeed voices for women, I can tell you this is an accolade I will cherish forever. And that it was presented to me by such a remarkable woman made the occasion all the more poignant and special.

Indeed, Vivian is as phenomenal as she is inspirational—and her monumental legacy at the National Institutes of Health and across the country will reverberate for generations. Nearly 20 years after she first took the helm of the Office of Research on Women's Health and a career later, it is incredible to see how far we have come due in no small part to her indelible efforts as a legendary and tireless advocate.

Simply put, Vivian paved the way in America for women's health research and continues to be an unrivaled force for the greater good. In addition to her many accomplishments at the Office of Research on Women's Health, her numerous awards and honors—including her induction as a fellow of the American Academy of Arts and Sciences in 1994, the Elizabeth Blackwell award from the American Medical Women's Association, and her election to the Institute of Medicine in 1995, just to name a few—are truly indicative of her selfless and boundless commitment. And we couldn't be more grateful.

The timeline of America's consciousness about women's health fittingly parallels Vivian's unmatched trajectory of public service in medicine. In 1990—with Vivian's help and my strong support in close bipartisan, bicameral collaboration with Representative Pat Schroeder—with whom I cochaired the Congress—Caucus for Women's Issues, Representative Connie Morella who succeeded me as co-chair, Senator BARBARA MIKULSKI—our vital compatriot in the Senate, as well as dedicated patient advocates across the country, the groundbreaking Office of Research on Women's Health was established at the National Institutes of Health, with Vivian as the first full-time director in 1991.

Throughout her tenure, she worked endlessly to ensure that women's health became a priority at the National Institutes of Health, and have helped increase the number of women in leadership roles in research and academic institutions. Working with Vivian, our allies in Congress, leaders at the National Institutes of Health like Dr. Bernadine Healy, the former director who sadly passed away in August, as well as many other stakeholders nationwide, we secured more funding and greater attention to breast cancer, osteoporosis, ovarian and cervical cancer research through groundbreaking