

1988 by Chip and Shari Solt to honor the passing of a friend, Joey Barbosa, Joey B's has evolved into a vibrant gathering place for those in the community. The Solt family has been committed to continuing their tradition of offering a warm atmosphere for friends to gather and create memories—truly making Joey B's a place "Where Good Friends Meet."

On behalf of the U.S. House of Representatives and the citizens of Pennsylvania's Ninth Congressional District, I ask my colleagues to join me in congratulating Joey B's Bar & Restaurant on this great honor and thank them for their commitment to our community.

#### CRIME VICTIMS' RIGHTS ACT

### HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 21, 2019

Ms. SPEIER. Madam Speaker, I include in the RECORD the following letter I sent to the U.S. Attorney General concerning H.R. 4729, the Courtney Wild Crime Victims' Rights Act.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, November 21, 2019.

Hon. WILLIAM BARR,  
U.S. Attorney General,  
Washington, DC.

DEAR ATTORNEY GENERAL BARR: I write to raise concerns about a court filing recently made by prosecutors in the Department, who cited my recent legislative efforts to support Jeffrey Epstein's victims as being in opposition to their currently pending petition before the Eleventh Circuit. I hope that you will direct your prosecutors to correct the misimpression that their inaccurate representation has created.

I introduced H.R. 4729, the Courtney Wild Crime Victims' Rights Reform Act (the "CVRA Reform Act"), in the House of Representatives on October 17, 2019. The bill was inspired by the challenges faced by the victims of serial sexual predator Jeffrey Epstein in Florida, who were left in the dark as prosecutors hashed out a secretive and shockingly lenient plea deal. Among other things, my bill would clarify the scope of rights guaranteed by the Crime Victims' Rights Act ("CVRA"), 18 U.S.C. §3771(a), by stating what the law already provides in more explicit terms and conforming the text to the original intent of Congress.

In an attempt to deny the rights of Epstein's victims in Florida, attorneys in the Department latched onto my bill and misrepresented its intent in a brief recently submitted to the Eleventh Circuit. Brief of the United States, *In re Courtney Wild*, No. 19-13843 (11th Cir. Oct. 31, 2019). In particular, the Department stated that my CVRA Reform Act would "amend the CVRA to state that its rights are extended to cover non-prosecution agreements." *Id.* at 43.

That is not what my bill would do. It would not "extend[]" the CVRA's rights to non-prosecution agreements, since the CVRA already covers non-prosecution agreements. Rather, the bill would merely clarify that the CVRA covers non-prosecution agreements.

This is exactly what was said in the press release the Department's attorneys cited:

The Crime Victims' Rights Reform Act will:

Clarify that victims of federal crimes have the right to confer with the Government and be informed about key pre-charging developments in a case, such as . . . non-prosecution agreements.

Press Release, Rep. Speier Introduces Bipartisan Courtney Wild Crime Victims' Rights Reform Act of 2019 to Rectify Injustices Faced by Epstein's Victims (Oct. 17, 2019) (emphasis added), available at <https://speier.house.gov/media-center/press-releases/rep-speier-introducesbipartisan-courtney-wild-crime-victims-rights>.

Your prosecutors are obviously attempting to suggest that it is my view, and the view of my legislative co-sponsors, that existing law does not provide protection to Courtney Wild and other victims. But, as the press release states, the legislation is designed to "clarify" what we understood to already be existing law and Congressional intent under the CVRA.

The CVRA already provides that crime victims have CVRA rights during the entirety of a criminal case—at every stage, from the initial investigation all the way through any disposition and sentence. Earlier in the Epstein case, the District Court rejected the Department's crabbed interpretation, relying on numerous court opinions correctly holding that the rights guaranteed by the CVRA "extend to the pre-charge stage of criminal investigations and proceedings." *Doe v. United States*, 950 F. Supp. 2d 1262, 1267 (S.D. Fla. 2013) (collecting cases); see also *In re Dean*, 527 F.3d 391, 394 (5th Cir. 2008). When Congress enacted the CVRA, it intended to protect crime victims throughout the criminal justice process—from the investigative phases to the conclusion of a case. Congress could not have been clearer in its direction that using "best efforts" to enforce the CVRA was an obligation of "[o]fficers and employees of the Department of Justice and other departments and agencies of the United States engaged in the detection, investigation, or prosecution of crime." 18 U.S.C. §3771(c)(1) (emphasis added).

This is not the first time the Department has misinterpreted legislative history in trying to deny victims their rights. For example, in 2011 Senator Kyl, one of the sponsors of the CVRA, was compelled to put a statement into the Congressional Record when the Justice Department twisted his words. See Letter from Jon Kyl, U.S. Sen. to Eric H. Holder, Jr., Att'y Gen. (June 6, 2011), reprinted in 157 Cong. Rec. S3608 (daily ed. June 8, 2011). Senator Kyl was responding to a 2010 Office of Legal Counsel opinion in which the Department cited his statements in support of the CVRA's passage to arrive at the (incorrect) position that CVRA rights only "are guaranteed from the time that criminal proceedings are initiated (by complaint, information, or indictment) and cease to be available if all charges are dismissed either voluntarily or on the merits (or if the Government declines to bring formal charges after the filing of a complaint)." Office of Legal Counsel, Mem. Op., The Availability of Crime Victims' Rights Under the Crime Victims' Rights Act of 2004 (Dec. 17, 2010, publicly released May 20, 2011). Congress responded by clarifying that the CVRA includes "[t]he right to be informed in a timely manner of any plea bargain or deferred prosecution agreement." Pub. L. 114-22, title I, §113(a), 129 Stat. 240.

Despite Congress' clear intention to provide rights to victims throughout the criminal process, the Department has consistently read the CVRA narrowly and shirked its statutorily required "best efforts." That is one reason I was compelled to write the CVRA Reform Act—to get the Department to follow through on the CVRA's promises. I am displeased that my legislation and accompanying press release were misinterpreted, and I trust that you will direct your prosecutors to correct with the Eleventh Cir-

cuit their erroneous description of the proposed legislation.

Sincerely,

JACKIE SPEIER.

CELEBRATING THE MILITARY SERVICE OF LELAND CALVIN BUTLER

### HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 21, 2019

Mr. BABIN. Madam Speaker, I rise today to thank Leland Calvin "L.C." Butler, a 96 year old World War II veteran of the United States Marine Corps, for his service to our great nation.

L.C. Butler was born in Temple, Texas on July 19, 1923 to Ann Patton Butler. His family moved to Houston in 1932. On August 19, 1942, Mr. Butler enlisted in the United States Marines Corps in San Antonio, Texas. He attended boot camp in San Diego, California for seven weeks, training one week at the firing range, and two months in Imperial Valley, California learning how to operate the "big guns."

A new anti-aircraft battalion was formed and L.C. became part of the 2nd Airdrome Battalion, which later became the 17th Defense Battalion. Butler's battalion's assignment was to provide anti-aircraft defense to airstrips secured by Allied Forces and to protect them after they were secured. As a result, he did not see as much fighting as many of his friends. Butler considers their assignment the luck of the draw.

Butler's division was sent to the Nukufetau Atoll where he served until the summer of 1944. After Nukufetau, his battalion was sent to Kauai for a short rest. In late summer of 1944, Mr. Butler boarded a ship to Tinian. He remained on the ship for approximately 60 days until the island was secured. Once Tinian was taken Butler's battalion moved ashore and used their anti-aircraft guns to protect the air strips from further attacks.

Toward the end of their deployment they discovered the *Enola Gay* was stationed on Tinian Island. This B-29 Superfortress became the first airplane to drop an atomic bomb on August 6, 1945 over Hiroshima, Japan. L.C. and his battalion were on a ship heading back to the United States when the second atomic bomb was dropped on Nagasaki. The dropping of both atomic bombs expedited the end of World War II.

The Marines were sent to San Diego and quarantined for two weeks because First Lady Eleanor Roosevelt felt it necessary due to outbreaks of different ailments while they were stationed on various Pacific islands. L.C. said she wasn't very popular with the Marines at that time, but that they were treated well during the two weeks.

L.C. Butler returned home to Houston, Texas the first week in September 1945 and married Dorothy Nell Corgey on September 7, 1945. Mr. and Mrs. Butler took one thousand dollars that L.C. won during a poker game on the ship back to the United States and stayed in a hotel in downtown Houston for a month for their honeymoon.

Following their honeymoon, the Butlers went to Corpus Christi for about three weeks. There