

for victims in criminal cases for the enforcement of crime victims' rights in Federal jurisdictions, and in States and tribal governments that have laws substantially equivalent to the provisions of chapter 237 of title 18, United States Code; or

(B) other organizations substantially similar to that organization as determined by the Director of the Office for Victims of Crime.

(C) INCREASED RESOURCES TO DEVELOP STATE-OF-THE-ART SYSTEMS FOR NOTIFYING CRIME VICTIMS OF IMPORTANT DATES AND DEVELOPMENTS.—The Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) is amended by inserting after section 1404D the following:

**“SEC. 1404E. CRIME VICTIMS NOTIFICATION GRANTS.**

“(a) IN GENERAL.—The Director may make grants as provided in section 1404(c)(1)(A) to State, tribal, and local prosecutors' offices, law enforcement agencies, courts, jails, and correctional institutions, and to qualified public or private entities, to develop and implement state-of-the-art systems for notifying victims of crime of important dates and developments relating to the criminal proceedings at issue in a timely and efficient manner, provided that the jurisdiction has laws substantially equivalent to the provisions of chapter 237 of title 18, United States Code.

“(b) INTEGRATION OF SYSTEMS.—Systems developed and implemented under this section may be integrated with existing case management systems operated by the recipient of the grant.

“(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds made available under section 1402(d), there are authorized to be appropriated to carry out this section—

“(1) \$5,000,000 for fiscal year 2005; and  
“(2) \$5,000,000 for each of the fiscal years 2006, 2007, 2008, and 2009.

“(d) FALSE CLAIMS ACT.—Notwithstanding any other provision of law, amounts collected pursuant to sections 3729 through 3731 of title 31, United States Code (commonly known as the ‘False Claims Act’), may be used for grants under this section, subject to appropriation.”.

**SEC. 4. REPORTS.**

(a) ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Administrative Office of the United States Courts, for each Federal court, shall report to Congress the number of times that a right established in chapter 237 of title 18, United States Code, is asserted in a criminal case and the relief requested is denied and, with respect to each such denial, the reason for such denial, as well as the number of times a mandamus action is brought pursuant to chapter 237 of title 18, and the result reached.

(b) GENERAL ACCOUNTING OFFICE.—

(1) STUDY.—The Comptroller General shall conduct a study that evaluates the effect and efficacy of the implementation of the amendments made by this Act on the treatment of crime victims in the Federal system.

(2) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General shall prepare and submit to the appropriate committees a report containing the results of the study conducted under subsection (a).

Mr. FRIST. Mr. President, I want to take a moment to comment on the passage today of the Crime Victims' Rights Act. I am gratified by the overwhelming, bipartisan support for this crucial legislation.

I especially thank the Senator from Arizona, JON KYL, and the Senator

from California, DIANNE FEINSTEIN, for their labor over the past several years on behalf of a constitutional amendment, and for their efforts over the past days to write into Federal law appropriate protections for victims of crime across the country. Without their dedication we would not have this victory.

While a constitutional amendment is preferable, this victims' rights Federal statute represents a significant improvement over the status quo. It ensures that crime victims have the right to fair treatment in the criminal justice system. It will give crime victims new legal standing to enforce their rights in court.

Too often, victims are shut out of the criminal justice process. They aren't informed of hearings, plea deals, trial dates and sentencing, or of parole hearings once their attacker is convicted.

The system rightly strives to protect the rights of defendants. But too often it overlooks the rights of the victims.

Take, for example, the case of Jeanne Brykalski of Knoxville, TN. Nine years ago, Jeanne lost both of her parents in a double homicide.

It was a Friday night, Jeanne's parents, Lester and Carol Dotts, went out for dinner. When they returned, they surprised three burglars in the act of looting their home.

Jeanne's mother was shot seven times, once at point-blank range in the head. Her father was shot six times, first in the neck and then repeatedly while he lay crumpled on the floor. The assailants seized Jeanne's mother's purse. And in a final grisly act, stole her father's wallet from his back pocket as he lay dying.

Jeanne's parents would have celebrated their 45th anniversary that summer.

She tells my office:

Something like this you never get over. At first you don't sleep. You can't sleep, because when you close your eyes, horrible images flood your mind. When you finally can sleep, that's when the nightmares come.

Jeanne found out about the first of the three perpetrators' public hearings on the front page of the local paper. As Jeanne recounts it, one morning before work, her husband went outside to fetch the paper from the delivery box. He came back in and tossed it on the kitchen table, telling her, “You'll want to read this.”

Says Jeanne:

I saw the headline, and of course had to keep reading. And then I found out for the first time the gruesome details of how my parents were murdered. I completely fell apart. And I still had to go to work that day.

Jeanne says it took a long time for the justice system to acknowledge her need to be a part of the process. In fact, on three occasions, she showed up for hearings that she was never told were canceled. The youngest of the perpetrators was plea bargained without Jeanne and her husband being informed.

Her experience with the system led her to become a volunteer for the East Tennessee Victims' Rights Task Force.

Says Jeanne:

All we want is equality and fair play in the courtroom. We want to be treated with courtesy and respect. I don't think that's too much to ask for.

Mr. President, nor do I. And that is why I strongly support the Crime Victims' Rights Act and look forward to getting this bill to the President's desk.

My home State of Tennessee has a Victims Bill of Rights. It was passed in November of 1998.

Anna Whalley, clinical coordinator of the Shelby County Crime Victims Center, tells my office that the law has improved the status of victims in the Tennessee justice system. Judges are now getting used to seeing victims in their courtrooms and are making their courtrooms more comfortable and accommodating.

Because the Tennessee law does not provide funding, however, victims continue to fall through the cracks. There simply is not enough money to stay on top of all of the cases and keep victims informed throughout the judicial process.

The Crime Victims' Rights Act wisely addresses this problem. It provides legal assistance grants to help local law enforcement agencies promote victims' rights.

It also authorizes over \$97 million over the next 5 years to broadly carry out the legislation's goals.

Mr. President, we are not all the way there. Our ultimate goal is to pass a victims' rights constitutional amendment. But this legislation represents a significant leap forward.

I thank my colleagues for their support today.

As we all agree, victims have rights, too.

**MORNING BUSINESS**

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Senate now proceed to a period for morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Mexico.

Mr. REID. Mr. President, will the Senator from New Mexico yield to me for a question?

Mr. DOMENICI. Yes, I yield.

Mr. REID. Senator LANDRIEU has been waiting for the vote to end. She has to pick up her children, but she first wants to speak about her children for a couple of minutes. Would the Senator allow her 2 minutes prior to beginning his speech?

Mr. DOMENICI. Of course.

Ms. LANDRIEU. I thank the Senator from New Mexico, and I thank my colleague from Nevada.

**TAKE OUR DAUGHTERS AND SONS TO WORK DAY**

Ms. LANDRIEU. As a wonderful Senator from New Mexico, and also as a father of many girls and a grandfather, I