

AMENDMENT TO H.R. 7900
OFFERED BY MS. SPEIER OF CALIFORNIA

At the appropriate place in title V, insert the following new section:

1 **SEC. 5 ____ . FINANCIAL ASSISTANCE FOR VICTIMS OF OF-**
2 **FENSES UNDER THE UNIFORM CODE OF MILI-**
3 **TARY JUSTICE.**

4 (a) **MILITARY CRIME VICTIMS FINANCIAL ASSIST-**
5 **ANCE FUND.**—Chapter 53 of title 10, United States Code,
6 is amended by inserting before section 1045 the following
7 new section:

8 **“§ 1044g. Military Crime Victims Financial Assistance**
9 **Fund**

10 “(a) **ESTABLISHMENT.**—There is established in the
11 Treasury of the United States a fund to be known as the
12 ‘Military Crime Victims Financial Assistance Fund’ (re-
13 ferred to in this section as the ‘Fund’).

14 “(b) **ADMINISTRATION OF FUND.**—The Secretary of
15 the Treasury shall administer the Fund consistent with
16 the provisions of this section.

17 “(c) **DEPOSITS.**—There shall be deposited in the
18 Fund the following:

19 “(1) Any amounts appropriated to the Fund.

1 “(2) Any amounts donated to the Fund.

2 “(d) AVAILABILITY AND USE OF FUND.—Amounts
3 in the Fund shall, to the extent provided in appropriations
4 Acts, be available solely for the payment of financial as-
5 sistance to victims of covered violent offenses in accord-
6 ance with the regulations prescribed under subsection (e).

7 “(e) REGULATIONS.—Not later than one year after
8 the date of the enactment of this section, the Secretary
9 of Defense shall prescribe regulations pursuant to which
10 a victim of a covered violent offense may apply for and
11 receive financial assistance payments from the Fund. Such
12 regulations shall provide as follows:

13 “(1) A victim of a covered violent offense may
14 apply to the Fund for—

15 “(A) a standard payment;

16 “(B) a reimbursement payment; or

17 “(C) a standard payment and a reimburse-
18 ment payment.

19 “(2) A standard payment to a victim shall be
20 a fixed amount determined by the Secretary of De-
21 fense for each covered violent offense.

22 “(3) A reimbursement payment to a victim
23 shall be an amount determined by the Secretary of
24 Defense that is sufficient to reimburse the victim for
25 health care expenses, travel expenses, and expenses

1 for property damage resulting from the covered vio-
2 lent offense, subject to such limits as the Secretary
3 may prescribe. A reimbursement payment may not
4 be made for any expenses for which a victim receives
5 reimbursement from other sources, including insur-
6 ance claims.

7 “(4) An individual victim may receive not more
8 than \$50,000 from the Fund per incident.

9 “(5) The eligibility of a victim to receive pay-
10 ments from the Fund shall be subject to such terms,
11 conditions, and other requirements as the Secretary
12 may prescribe.

13 “(6) The Secretary may not make a payment
14 from the Fund if the amount of such payment would
15 exceed the amounts available in the fund.

16 “(f) ANNUAL REPORTS.—Not later than February 1
17 of each year, the Secretaries concerned, in consultation
18 with the Secretary of the Treasury, shall submit to the
19 appropriate congressional committees a report that in-
20 cludes—

21 “(1) a summary of the amounts deposited to
22 and paid from the Fund during the preceding year;

23 “(2) the number of victims who received pay-
24 ments from the Fund during the preceding year, set
25 forth separately for each covered violent offense; and

1 “(3) an estimate of the amount of appropria-
2 tions required, if any, to maintain the solvency of
3 the fund for the period of two fiscal years following
4 the date of the report.

5 “(g) DEFINITIONS.—In this section—

6 “(1) The term ‘appropriate congressional com-
7 mittees’ means the following:

8 “(A) The congressional defense commit-
9 tees.

10 “(B) The Committee on Transportation
11 and Infrastructure of the House of Representa-
12 tives.

13 “(C) The Committee on Commerce,
14 Science, and Transportation of the Senate.

15 “(2) The term ‘covered violent offense’ means—

16 “(A) an offense under section 918 (article
17 118), section 919 (article 119), section 919a
18 (article 119a), section 920 (article 120), section
19 920b (article 120b), section 920c (article 120c),
20 section 922 (article 122), section 925 (article
21 125), section 928 (article 128), section 928a
22 (article 128a), section 928b (article 128b), sec-
23 tion 930 (article 130), or the standalone offense
24 of sexual harassment as punishable under sec-
25 tion 934 (article 134) of this title; or

1 “(B) an attempt to commit an offense
2 specified in subparagraph (A) as punishable
3 under section 880 of this title (article 880).

4 “(3) The term ‘victim’ means individual who
5 has suffered direct physical, emotional, or pecuniary
6 harm as a result of the commission of a covered vio-
7 lent offense.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of such chapter is amended by inserting
10 before the item relating to section 1045 the following new
11 item:

 “1044g. Military Crime Victims Financial Assistance Fund.”.

12 (c) APPLICABILITY.—Eligibility to receive a payment
13 from the Military Crime Victims Financial Assistance
14 Fund under section 1044g of title 10, United States Code
15 (as added by subsection (a)), shall be limited to individuals
16 who—

17 (1) are victims of covered violent offenses that
18 occur on or after the date of the enactment of this
19 Act; and

20 (2) apply for payment from the Fund after the
21 effective date of the regulations prescribed under
22 subsection (e) of such section 1044g.

23 (d) PROGRESS REPORT.—

24 (1) IN GENERAL.—Not later than 90 days after
25 the date of the enactment of this Act, the Secretary

1 of Defense shall submit to the appropriate congres-
2 sional committees a report on plans of the Secretary
3 for implementing the Military Crime Victims Finan-
4 cial Assistance Fund under section 1044g of title
5 10, United States Code (as added by subsection (a)).

6 (2) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES DEFINED.—In this subsection, the term “ap-
8 propriate congressional committees” means the fol-
9 lowing:

10 (A) The congressional defense committees.

11 (B) The Committee on Transportation and
12 Infrastructure of the House of Representatives.

13 (C) The Committee on Commerce, Science,
14 and Transportation of the Senate.

