AMENDMENT TO RULES COMMITTEE PRINT 118-10
OFFERED BY MS. GARCIA OF TEXAS

At the end of subtitle D of title V, add the following new section:

SEC. 5. FINANCIAL ASSISTANCE FOR VICTIMS OF OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) MILITARY CRIME VICTIMS FINANCIAL ASSISTANCE FUND.—Chapter 53 of title 10, United States Code, is amended by inserting before section 1045 the following new section:

§ 1044g. Military Crime Victims Financial Assistance Fund

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the ‘Military Crime Victims Financial Assistance Fund’ (referred to in this section as the ‘Fund’).

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

(c) DEPOSITS.—There shall be deposited in the Fund the following:
“(a) Any amounts appropriated to the Fund.

“(b) Any amounts donated to the Fund.

“(d) AVAILABILITY AND USE OF FUND.—Amounts in the Fund shall, to the extent provided in appropriations Acts, be available solely for the payment of financial assistance to victims of covered violent offenses in accordance with the regulations prescribed under subsection (e).

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

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

“(A) a standard payment;

“(B) a reimbursement payment; or

“(C) a standard payment and a reimbursement payment.

“(2) A standard payment to a victim shall be a fixed amount determined by the Secretary of Defense for each covered violent offense.

“(3) A reimbursement payment to a victim shall be an amount determined by the Secretary of Defense that is sufficient to reimburse the victim for
health care expenses, travel expenses, and expenses
for property damage resulting from the covered vio-
lent offense, subject to such limits as the Secretary
may prescribe. A reimbursement payment may not
be made for any expenses for which a victim receives
reimbursement from other sources, including insur-
ance claims.

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

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

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

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

“(1) a summary of the amounts deposited to
and paid from the Fund during the preceding year;
“(2) the number of victims who received payments from the Fund during the preceding year, set forth separately for each covered violent offense; and

“(3) an estimate of the amount of appropriations required, if any, to maintain the solvency of the fund for the period of two fiscal years following the date of the report.

“(g) DEFINITIONS.—In this section—

“(1) The term ‘appropriate congressional committees’ means the following:

“(A) The congressional defense committees.

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

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

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

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

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

“(3) The term ‘victim’ means individual who 
has suffered direct physical, emotional, or pecuniary 
harm as a result of the commission of a covered vio-

tent offense.”.

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

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

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

(c) PROGRESS REPORT.—

(1) IN GENERAL.—Not later than 90 days after 
the date of the enactment of this Act, the Secretary 
of Defense shall submit to the appropriate congres-
sional committees a report on plans of the Secretary for implementing the Military Crime Victims Financial Assistance Fund under section 1044g of title 10, United States Code (as added by subsection (a)).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means the following:

(A) The congressional defense committees.

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

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