

**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:

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:

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

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

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

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

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

16                   “(A) a standard payment;

17                   “(B) a reimbursement payment; or

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

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

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

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

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

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

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

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

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

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

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

8           “(g) DEFINITIONS.—In this section—

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

11           “(A) The congressional defense commit-  
12          tees.

13           “(B) The Committee on Transportation  
14          and Infrastructure of the House of Representa-  
15          tives.

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

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

19           “(A) an offense under section 918 (article  
20          118), section 919 (article 119), section 919a  
21          (article 119a), section 920 (article 120), section  
22          920b (article 120b), section 920c (article 120c),  
23          section 922 (article 122), section 925 (article  
24          125), section 928 (article 128), section 928a  
25          (article 128a), section 928b (article 128b), sec-

1           tion 930 (article 130), or the standalone offense  
2           of sexual harassment as punishable under sec-  
3           tion 934 (article 134) of this title; or

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

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

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

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

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

22          (c) **PROGRESS REPORT.**—

23               (1) **IN GENERAL.**—Not later than 90 days after  
24               the date of the enactment of this Act, the Secretary  
25               of Defense shall submit to the appropriate congres-

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

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

9 (A) The congressional defense committees.

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

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

