

117TH CONGRESS  
1ST SESSION

# H. R. 1652

To deposit certain funds into the Crime Victims Fund, to waive matching requirements, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2021

Mr. NADLER (for himself, Mr. FITZPATRICK, Ms. JACKSON LEE, Mrs. WAGNER, Ms. SCANLON, Mrs. RODGERS of Washington, Mrs. DINGELL, Mr. MOOLENAAR, Ms. MOORE of Wisconsin, Mrs. AXNE, Mr. RYAN, Ms. KUSTER, Mr. LANGEVIN, Ms. TITUS, Ms. SPEIER, Ms. WEXTON, Ms. PRESSLEY, Mrs. MCBATH, and Mr. FEENSTRA) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To deposit certain funds into the Crime Victims Fund, to waive matching requirements, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “VOCA Fix to Sustain  
5       the Crime Victims Fund Act of 2021”.

1 **SEC. 2. COMPREHENSIVE FIX OF CRIME VICTIMS FUND**  
2 **AND COMPENSATION.**

3 (a) CRIME VICTIMS FUND.—Section 1402 of the Vic-  
4 tims of Crime Act of 1984 (34 U.S.C. 20101) is amend-  
5 ed—

6 (1) in subsection (b)—

7 (A) in paragraph (4), by striking “; and”  
8 and inserting a semicolon;

9 (B) in paragraph (5)(B), by striking the  
10 period at the end and inserting “; and”; and

11 (C) by adding at the end the following new  
12 paragraph:

13 “(6) any funds that would otherwise be depos-  
14 ited in the general fund of the Treasury collected  
15 pursuant to—

16 “(A) a deferred prosecution agreement; or

17 “(B) a non-prosecution agreement.”; and

18 (2) in subsection (e), by striking “Director”  
19 and inserting “Director, except that renewals and  
20 extensions beyond that period may be granted at the  
21 discretion of the Attorney General”.

22 (b) CRIME VICTIM COMPENSATION.—Section 1403 of  
23 the Victims of Crime Act of 1984 (34 U.S.C. 20102) is  
24 amended—

25 (1) in subsection (a)—

1 (A) in paragraph (1), by striking “40 per-  
2 cent in fiscal year 2002 and of 60 percent in  
3 subsequent fiscal years” and inserting “75 per-  
4 cent”;

5 (B) in paragraph (2), by striking “of 40  
6 percent in fiscal year 2002 and of 60 percent  
7 in subsequent fiscal years”;

8 (C) by redesignating paragraph (3) as  
9 paragraph (4); and

10 (D) by inserting after paragraph (2) the  
11 following new paragraph:

12 “(3) For the purposes of calculating amounts  
13 awarded in the previous fiscal year under this sub-  
14 section, the Director shall not require eligible crime  
15 victim compensation programs to deduct recovery  
16 costs or collections from restitution or from subroga-  
17 tion for payment under a civil lawsuit.”;

18 (2) in subsection (b)(2) by striking “authori-  
19 ties;” and inserting “authorities, except if a program  
20 determines such cooperation may be impacted due to  
21 a victim’s age, physical condition, psychological  
22 state, cultural or linguistic barriers, or any other  
23 health or safety concern that jeopardizes the victim’s  
24 wellbeing;”; and

25 (3) in subsection (d)—

1 (A) in paragraph (3), by striking “; and”  
2 and inserting a semicolon;

3 (B) in paragraph (4), by striking the pe-  
4 riod at the end and inserting “; and”; and

5 (C) by adding at the end the following new  
6 paragraph:

7 “(5) the term ‘recovery costs’ means expenses  
8 for personnel directly involved in the recovery efforts  
9 to obtain collections from restitution or from sub-  
10 rogation for payment under a civil law suit.”.

11 **SEC. 3. WAIVER OF MATCHING REQUIREMENT.**

12 (a) IN GENERAL.—Section 1404(a) of the Victims of  
13 Crime Act of 1984 (34 U.S.C. 20103(a)) is amended by  
14 inserting at the end the following new paragraph:

15 “(7)(A) Each chief executive may waive a  
16 matching requirement imposed by the Director, in  
17 accordance with subparagraph (B), as a condition  
18 for the receipt of funds under any program to pro-  
19 vide assistance to victims of crimes authorized under  
20 this chapter. The chief executive shall report to the  
21 Director the approval of any waiver of the matching  
22 requirement.

23 “(B) Each chief executive shall establish and  
24 make public, a policy including—

1           “(i) the manner in which an eligible crime  
2 victim assistance program can request a match  
3 waiver;

4           “(ii) the criteria used to determine eligi-  
5 bility of the match waiver; and

6           “(iii) the process for decision making and  
7 notifying the eligible crime victim assistance  
8 program of the decision.”.

9       (b) NATIONAL EMERGENCY WAIVER.—Section  
10 1404(a) of the Victims of Crime Act of 1984 (34 U.S.C.  
11 20103(a)), as amended by subsection (a), is further  
12 amended by inserting at the end the following new para-  
13 graph:

14           “(8) Beginning on the date a national emer-  
15 gency is declared under the National Emergencies  
16 Act (50 U.S.C. 1601 et seq.) with respect to a pan-  
17 demic and ending on the date that is one year after  
18 the date of the end of such national emergency, each  
19 chief executive shall issue waivers for any matching  
20 requirement, in its entirety, for all eligible crime vic-  
21 tim assistance programs contracted to provide serv-  
22 ices at that time.”.

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