

117TH CONGRESS  
1ST SESSION

# S. 1339

To amend the Victims of Crime Act of 1984 to ensure crime victims are not denied compensation because of rape kit backlogs, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

APRIL 22, 2021

Ms. CORTEZ MASTO (for herself and Mr. TOOMEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

## A BILL

To amend the Victims of Crime Act of 1984 to ensure crime victims are not denied compensation because of rape kit backlogs, 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 “Fairness for Rape Kit  
5 Backlog Survivors Act of 2021”.

6 **SEC. 2. CRIME VICTIM COMPENSATION.**

7 Section 1403(b) of the Victims of Crime Act of 1984  
8 (34 U.S.C. 20102(b)) is amended—

9 (1) in paragraph (8), by striking “and” at the  
10 end;

1           (2) by redesignating paragraph (9) as para-  
2 graph (10); and

3           (3) by inserting after paragraph (8) the fol-  
4 lowing:

5           “(9) beginning not later than 3 years after the  
6 date of enactment of this paragraph, such pro-  
7 gram—

8           “(A) provides a waiver for any application  
9 filing deadline imposed by the program for a  
10 crime victim if—

11           “(i) the crime victim is otherwise eligi-  
12 ble for compensation; and

13           “(ii) the delay in filing the application  
14 was a result of a delay in the testing of,  
15 or a delay in the DNA profile matching  
16 from, a sexual assault forensic examination  
17 kit or biological material collected as evi-  
18 dence related to a sexual offense; and

19           “(B) does not require the crime victim to  
20 undergo an appeals process to have the applica-  
21 tion of the crime victim considered for a filing  
22 deadline waiver under subparagraph (A); and”.

○