

VOCA Fix to Sustain the Crime Victims Fund Act of 2021

[Public Law 117–27]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 117–27. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. [34 U.S.C. 10101 note] SHORT TITLE.

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

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

(a) CRIME VICTIMS FUND.—Section 1402 of the Victims of Crime Act of 1984 (34 U.S.C. 20101) is amended—

(1) in subsection (b)—

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

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

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

“(6) any funds that would otherwise be deposited in the general fund of the Treasury collected pursuant to—

“(A) a deferred prosecution agreement; or

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

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

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

(1) in subsection (a)—

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

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

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

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

“(3) For the purposes of calculating amounts awarded in the previous fiscal year under this subsection, the Director shall not require eligible crime victim compensation programs to deduct recovery costs or collections from restitution or from subrogation for payment under a civil lawsuit.”;

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

(3) in subsection (d)—

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

(B) in paragraph (4), by striking the period at the end and inserting “; and”; and

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

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

SEC. 3. WAIVER OF MATCHING REQUIREMENT.

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

“(7)(A) Each chief executive may waive a matching requirement imposed by the Director, in accordance with subparagraph (B), as a condition for the receipt of funds under any program to provide assistance to victims of crimes authorized under this chapter. The chief executive shall report to the Director the approval of any waiver of the matching requirement.

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

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

“(ii) the criteria used to determine eligibility of the match waiver; and

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

(b) NATIONAL EMERGENCY WAIVER.—Section 1404(a) of the Victims of Crime Act of 1984 (34 U.S.C. 20103(a)), as amended by subsection (a), is further amended by inserting at the end the following new paragraph:

“(8) Beginning on the date a national emergency is declared under the National Emergencies Act (50 U.S.C. 1601 et

seq.) with respect to a pandemic and ending on the date that is one year after the date of the end of such national emergency, each chief executive shall issue waivers for any matching requirement, in its entirety, for all eligible crime victim assistance programs contracted to provide services at that time.”.

SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.