

111TH CONGRESS  
1ST SESSION

# H. R. 483

To safeguard the Crime Victims Fund.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2009

Mr. POE of Texas (for himself, Mr. COSTA, Mr. BRADY of Pennsylvania, Mr. CARNEY, Mr. COURTNEY, Mr. DAVIS of Tennessee, Mr. GRIJALVA, Ms. HIRONO, Mr. LOBIONDO, Mr. LOEBSACK, Mrs. MALONEY, Ms. MATSUI, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Ms. NORTON, Mr. PAUL, Mr. PAYNE, Mr. WALZ, Mr. WU, Mr. HOLDEN, Mr. MCGOVERN, Ms. CORRINE BROWN of Florida, Mr. MICHAUD, Mr. MCCAUL, Ms. EDWARDS of Maryland, and Mr. JOHNSON of Georgia) introduced the following bill; which was referred to the Committee on the Budget, and in addition to the Committees on Rules and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To safeguard the Crime Victims Fund.

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 “Victims of Crime Act  
5 Preservation Fund Act of 2009”.

1 **SEC. 2. EXCLUSION OF CRIME VICTIMS FUND FROM ALL**  
2 **BUDGETS.**

3 Notwithstanding any other provision of law, the re-  
4 ceipts and disbursements of the Crime Victims Fund (es-  
5 tablished under section 1402 of the Victims of Crime Act  
6 of 1984 (42 U.S.C. 10601)) shall not be counted as new  
7 budget authority, outlays, receipts, or deficit or surplus  
8 for purposes of—

9 (1) the budget of the United States Govern-  
10 ment, as submitted by the President; or

11 (2) the congressional budget.

12 **SEC. 3. LOCK-BOX PROTECTION.**

13 (a) IN GENERAL.—Notwithstanding any other provi-  
14 sion of law, it shall not be in order in the House of Rep-  
15 resentatives or the Senate to consider any measure that  
16 would authorize the use of, or appropriate, amounts in the  
17 Crime Victims Fund, established under section 1402 of  
18 the Victims of Crime Act of 1984 (42 U.S.C. 10601), in-  
19 cluding amounts in such Fund that are designated to re-  
20 main in the Fund for obligation in future fiscal years, for  
21 any purpose other than a purpose authorized under such  
22 Act.

23 (b) 60-VOTE WAIVER REQUIRED IN THE SENATE.—

24 (1) IN GENERAL.—Subsection (a) may be  
25 waived or suspended in the Senate only by the af-

1 firmative vote of three-fifths of the Members, duly  
2 chosen and sworn.

3 (2) APPEALS.—

4 (A) PROCEDURE.—Appeals in the Senate  
5 from the decisions of the Chair relating to para-  
6 graph (1) shall be limited to 1 hour, to be  
7 equally divided between, and controlled by, the  
8 mover and the manager of the measure that  
9 would authorize the payment or use of amounts  
10 in the Crime Victims Fund for a purpose other  
11 than a purpose authorized under the Victims of  
12 Crime Act of 1984 (42 U.S.C. 10601).

13 (B) 60-VOTES REQUIRED.—An affirmative  
14 vote of three-fifths of the Members, duly chosen  
15 and sworn, shall be required in the Senate to  
16 sustain an appeal of the ruling of the Chair on  
17 a point of order raised in relation to paragraph  
18 (1).

19 (c) EXERCISE OF RULEMAKING POWERS.—This sec-  
20 tion is enacted by Congress—

21 (1) as an exercise of the rulemaking power of  
22 the House of Representatives and the Senate, re-  
23 spectively, and as such they shall be considered as  
24 part of the rules of each House, respectively, or of  
25 that House to which they specifically apply, and

1       such rules shall supersede other rules only to the ex-  
2       tent that they are inconsistent therewith; and

3           (2) with full recognition of the constitutional  
4       right of either House to change the rules (so far as  
5       relating to such House) at any time, in the same  
6       manner, and to the same extent as in the case of  
7       any other rule of that House.

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