

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
POE OF TEXAS, OR HIS
DESIGNEE, DEBATABLE FOR 10 MINUTES:

5

**AMENDMENT TO H.R. 3402, AS REPORTED
OFFERED BY MR. POE OF TEXAS**

Page 57, line 23, insert "(a) IN GENERAL.—".

Page 59, after line 6, insert the following new sub-
sections:

- 1 (b) ADDITIONAL AMENDMENTS.—
- 2 (1) Section 1402 (42 U.S.C. 10601) is
- 3 amended—
- 4 (A) in subsection (b)—
- 5 (i) in paragraph (4), by striking
- 6 "and" at the end;
- 7 (ii) in paragraph (5), by striking the
- 8 period at the end and inserting "; and";
- 9 and
- 10 (iii) by adding at the end the fol-
- 11 lowing new paragraph:
- 12 "(6) Amounts deposited pursuant to section
- 13 3612(c)(2), 3663(c)(3)(B), or 3663A(c)(3)(A) of
- 14 title 18, United States Code.";
- 15 (B) by amending subsection (c) to read as
- 16 follows:



1 “(c)(1) Notwithstanding any other provision of law,
2 the total amount to be distributed from the Fund in any
3 fiscal year shall be an amount equal to the sum of the
4 amounts required under subsection (d).

5 “(2) In each fiscal year, the Director shall distribute
6 amounts from the Fund in accordance with subsection (d).
7 All sums not distributed during a fiscal year shall remain
8 in reserve in the Fund to be distributed during a subse-
9 quent fiscal year. Notwithstanding any other provision of
10 law, all sums deposited in the Fund that are not distrib-
11 uted shall remain in reserve in the Fund for obligation
12 in future fiscal years, without fiscal year limitation.”;

13 (C) in subsection (d), by amending para-
14 graph (2) to read as follows:

15 “(2) \$20,000,000 shall be available for grants
16 under section 1404A.”;

17 (D) in subsection (d)(3), by striking “Of
18 the sums” and all that follows through “such
19 sums” and inserting “Such sums”;

20 (E) in subsection (d)(4)(A), by striking
21 “47.5 percent shall be available” and inserting
22 “such sums as may be necessary”;

23 (F) in subsection (d)(4)(B), by striking
24 “47.5 percent shall be available” and inserting
25 “such sums as may be necessary”;



1 (G) in subsection (d)(4)(C), by striking “5
2 percent shall be available” and inserting “such
3 sums as may be necessary”; and

4 (H) by adding at the end the following new
5 subsection:

6 “(f) In any fiscal year in which the amount in the
7 Fund is less than the total amount required under sub-
8 section (d), there shall be transferred into the Fund an
9 amount equal to such additional sums as may be required
10 to fully fund grants under subsection (d) from the fol-
11 lowing:

12 “(1) Civil or administrative fines, forfeitures or
13 other monetary penalties or assessments collected
14 from persons adjudged to have violated any of the
15 laws or regulations of the United States.

16 “(2) Penalties and damages obtained and other-
17 wise creditable to miscellaneous receipts of the gen-
18 eral fund of the Treasury obtained under sections
19 3729 through 2722 of title 31 (known as the False
20 Claims Act), other than funds awarded to a relator
21 or for restitution.”.

22 (2) Section 1403 (42 U.S.C. 10602) is
23 amended—



1 (A) in subsection (a)(1), by striking “Ex-
2 cept as provided in paragraph (2), the Direc-
3 tor” and inserting “The Director”; and

4 (B) in subsection (a), by striking para-
5 graph (2).

6 (3) Section 1404 (42 U.S.C. 10603) is
7 amended—

8 (A) in subsection (a)(1) by striking “Sub-
9 ject to” and all that follows through the period
10 at the end and inserting “The Director shall
11 make an annual grant from the Fund to the
12 chief executive of each State for the financial
13 support of eligible crime victim assistance pro-
14 grams. Each grant shall be the average amount
15 of the grants made for this purpose during the
16 previous three fiscal years plus 5 percent.”; and

17 (B) in subsection (c)(2) by inserting “The
18 total amount available for grants under this
19 subsection shall be the average amount avail-
20 able for this purpose during the previous three
21 fiscal years plus 5 percent.” before “Of the
22 amount”.

23 (4) Section 1407 (42 U.S.C. 10604) is
24 amended—



1 (A) in subsection (g), by inserting after
2 “effectiveness” the following: “, including meas-
3 urable results,”; and

4 (B) by adding at the end the following new
5 subsection:

6 “(i)(1) Every recipient of funds under this chapter
7 shall submit an annual report to the Director in such fash-
8 ion as the Director directs. The report shall include the
9 amounts expended, quantitative data on the numbers of
10 victims served, types of services provided and other sup-
11 ported activities, measurable results on the services and
12 activities provided, and such other information as the Di-
13 rector may require. The Director may terminate or sus-
14 pend current or future payments to recipients of funds
15 under this chapter for failure to provide the Director with
16 complete, accurate and timely information as required
17 under this subsection.

18 “(2) The Director may request the cooperation and
19 assistance of other Federal agencies in obtaining the infor-
20 mation required under this subsection. The other agencies
21 shall comply with all reasonable requests made by the Di-
22 rector, including the submission of information requested
23 under paragraph (1).”

24 (c) CONFORMING AMENDMENTS.—



1 (1) Section 3663 of title 18, United States
2 Code, is amended—

3 (A) in subsection (c)(1), by striking “de-
4 scribed in” and all that follows through
5 “863),”;

6 (B) in subsection (c)(3)—

7 (i) by redesignating subparagraphs
8 (A) and (B) as clauses (i) and (ii), and in-
9 denting appropriately;

10 (ii) by inserting before clause (i) (as
11 so redesignated) the following new para-
12 graph:

13 “(A) If the defendant was convicted of an
14 offense described in section 401, 408(a), 409,
15 416, 420, or 422(a) of the Controlled Sub-
16 stances Act (21 U.S.C. 841, 848 (a), 849, 856,
17 861, 863):”; and

18 (iii) by adding at the end the fol-
19 lowing new subparagraph:

20 “(B) For all other offenses, restitution
21 shall be deposited into the fund established
22 under section 1402 of the Victims of Crime Act
23 of 1984 (42 U.S.C. 10601).”.

24 (2) Section 3663A of title 18, United States
25 Code, is amended in subsection (c)(3)(A) by insert-



1 ing before the semicolon the following: “, in which
2 case the court may order restitution to be paid into
3 the fund established under section 1402 of the Vic-
4 tims of Crime Act of 1984 (42 U.S.C. 10601)”.

5 (3) Section 3612 of title 18, United States
6 Code, is amended in subsection (c)(2) by adding at
7 the end the following: “If, for any reason, the money
8 received from a defendant cannot be disbursed to
9 the person to whom the restitution is ordered to be
10 paid, the amount collected shall be deposited into the
11 fund established under section 1402 of the Victims
12 of Crime Act of 1984 (42 U.S.C. 10601). If such
13 person subsequently makes a valid claim for such
14 payment, the payment shall be made from the fund
15 established under section 1402 of the Victims of
16 Crime Act of 1984 (42 U.S.C. 10601).”.

