

## HOW THE CRIME VICTIMS FUND IS DISBURSED

The following amounts are allocated according to the VOCA statutory formula (42 U.S.C. 10601(d)):

### Under the cap on annual obligations:

- The first \$10 million to \$20 million is used for formula grants to states to improve the investigation and prosecution of child abuse (Children’s Justice Act);
- After that, funds are set aside for certain Federal victim services at levels specified by Congress:
  - Victim witness coordinators in U.S. Attorneys’ offices (170 FTE);
  - Victim assistance staff in FBI offices (112 FTE);
  - Federal Victim Notification System (\$5 million per year).
- Of the amount remaining, after the above allocations:
  - Five percent for discretionary grants administered by the Office for Victims of Crime for demonstration projects, training and technical assistance and services to victims of Federal crimes.
  - 47.5% of funds remaining under the cap are available for state crime victim compensation grants with each state receiving a grant based upon 60% of its state-funded compensation benefits.
  - 47.5% of funds remaining under the cap plus any amount not used for state crime victim compensation grants are allocated for formula grants to states to support direct assistance services to victims of crime (each state receives a base amount plus an amount apportioned on population).

**Under this formula, the amount available for state assistance grants is whatever’s left over after all the other VOCA programs and other costs are funded.** For that reason, unless the cap is high enough, increases in the other VOCA programs and new costs reduce the amount available for state victim assistance grants.

In addition, according to the VOCA statute, up to five percent of amounts remaining in the Fund after the above annual allocations (“above the cap”) may be used to replenish the Antiterrorism Emergency Reserve (AER) which is available to assist victims of international and domestic terrorism or mass violence and compensation to international terrorism victims.

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### Crime Victims Fund Savings

Although the VOCA statute calls for amounts from the Fund to be distributed each year, in 2000 Congress began delaying annual obligations above an amount specified each year (the “cap”). It also reaffirmed that all unobligated amounts would remain in the Fund for use in future years. The annual delays have resulted in the accumulation of a substantial Fund balance or “reserve.” According to congressional scorekeeping guidelines, Fund obligations deferred to future years are considered to be rescinded in the current fiscal year.\* This rescission is often treated as “savings” used to offset spending limits on other programs, although the deferred amounts stay in the Fund to be obligated for victim services in future years.

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\* See OMB Circular A-11, Part 8, Appendix A “Scorekeeping Guidelines,” page 2, July 2010 accessed at [http://www.whitehouse.gov/sites/default/files/omb/assets/a11\\_current\\_year/app\\_a.pdf](http://www.whitehouse.gov/sites/default/files/omb/assets/a11_current_year/app_a.pdf)