**FAIRNESS FOR VICTIMS OF CRIME ACT  
OVERVIEW**

|  | **Issue** | **Details** |
| --- | --- | --- |
| **1** | **Increase Disbursement from Fund** | Problem   * Not enough funds disbursed * From 1984 to 1999, the Fund disbursed what it brought in * Since FY2000, disbursals capped: * FY14, intake vs. disbursement = $3.6B vs. ~$745M * Difference is placed in a “reserve” account, and used to offset other discretionary spending * Reserve now ~$10.8B   Toomey-Schumer Solution   * Permanent requirement to disburse the average of the past 3 years’ intake *§ 1402(c)(2)* * In FY16: * CVF will disburse ~$2.6B vs. $745M in FY14 * Victim service groups will have access to 4¼ times as much money as in FY14 * Victim compensation (money paid directly to victims) will grow by almost $25M * DOJ grants to victim service groups will more than triple, growing by $67M * Establish a 60-vote, budget point of order whereby any Senator may object to an attempt to disburse less than the avg. of the past 3 years’ intake (adapted from Ted Poe bill) *§ 1402(c)(3)* * Keep the CHIMP/ Offset * Will have roughly same reserve to offset for other spending, but reserve will not continue to grow year after year |
| **2** | **Ensure that Crucial Services Are Covered** | Problem   * DOJ rules are confusing on when victim service groups may use CVF funds for certain, vital expenses. * Victim Compensation—money paid directly to victims—is underfunded.   Toomey-Schumer Solution   * Clarify that the following services are covered: * forensic medical exams and interviews (adapted from DOJ proposed rule), * mental health counseling (adapted from DOJ proposed rule) * relocation of victims and family (adapted from DOJ proposed rule) * legal services for emergency situations (adapted from DOJ proposed rule) * legal services to enforce victim rights * ambulances when requested by law enforcement * prophylactic drugs to prevent a victim from contracting HIV * reasonable costs for infrastructure and technology * any other services DOJ allows by rule or regulation   *§ 1404(e)(2)*   * Increase the amount available for compensation grants, which are paid directly to victims * Money paid directly to victims will increase by almost $25M from FY14 to FY16 *§ 1403(a)* |
| **3** | **Ensure that All Victims Are Able To Obtain Services** | Problem   * Currently, the Crime Victims Fund cannot be used for * national projects, such as national missing children hotlines or national trafficking projects * to help American victims of crimes committed abroad   Toomey-Schumer Solution   * Allow DOJ discretionary grants to be used for these purposes *§ 1404(c)(1)(D)* |
| **4** | **Ensure Funding for Tribes** | Problem   * Tribes face uncertainty as to funding   Toomey-Schumer Solution   * 4% dedicated funding stream to tribal governments to ensure services for Native Americans * Will be $98M in FY16   *§ 1402(d )(4)(D); § 1404(d)* |
| **5** | **Ensure Existing Groups Are Able To Expand Services** | Problem   * DOJ has imposed a 25% matching requirement on victim service groups. * For every $100 a group receives, it must contribute $25 in cash or volunteer hours. * The 25% match is not based on statute. Plus: * It can be burdensome when the economy is weak and private donations decline. * It will prevent victim services groups from taking advantage of the large increase in funds made available by this Act. * In FY16, groups will have access to 4¼ times the funding as in FY14.   Toomey-Schumer Solution   1. Limit the matching requirement to no more than 7.5%, allowing existing groups to collect 3 times as much as they currently collect. *§ 1404(b)(4)* |
| **6** | **Victim Service Groups and States Need the Ability To Plan Ahead and Pay for Long term Needs** | **1. Predictability**  Problem   * Victim service groups need predictability regarding when they will receive funds and what they may spend funds on.   Toomey-Schumer Solution   * Require DOJ to disburse State formula grants within 90 days, so victim service groups have predictability as to when funds will arrive *§ 1403(a)(1); § 1404(a)* * Clarify definitions so victim service groups have predictability regarding what they may spend funds for: * Replace “spousal abuse,” a term not widely used (including not used by DOJ), with “domestic violence * Clarify that “child abuse, sexual assault, and domestic violence” are defined by the law of the administering State   *§ 1404 (a)(2)(A)*  **2. Ability to Plan Spending**  Problem   * Victim service groups need the ability to plan budgets over several years, not just year-to-year   Toomey-Schumer Solution   * Increase permissible length of grant contract for victim service groups by 2 years, allowing groups to spread existing funds across a longer timeframe and plan ahead. *§ 1402(e)(2)*   **3. Infrastructure and Technology**  Problem   * Groups often lack funds for long term infrastructure and technology projects.   Toomey-Schumer Solution   * Allow up to 20% of the State-allocated funds be used for infrastructure and technology updates *§ 1404(e)(7)* |
| **7** | **Set Budgets for Admin and Training, and State Planning at Adequate Levels** | **1. State Admin & Training**  Problem   * States do not have the enough trained professionals to work with victims and victim service groups.   Toomey-Schumer Solution   * Increase resources for State administrators who work with victims and victim service groups * Add an extra 2% for training and State planning, so States may make the most efficient use of funds *§ 1403(a)(2) & § 1404(b)(3)(A)&(B )*   **2. DOJ Admin**  Problem   * Statute is silent on how much money should go to DOJ for administrative expenses.   Toomey-Schumer Solution   * Specify that DOJ may use op to 3.5% of the disbursed money for administrative expenses. * Will increase DOJ admin budget for CVF from ~$58M in FY14 to ~$91M in FY16   *§ 1402(d)(1)* |
| **8** | **Establish a Sufficient, Workable Level for DOJ Discretionary Grants** | Problem   * With the dramatic growth in disbursements, need to ensure DOJ discretionary grants are set at a reasonable and workable level   Toomey-Schumer Solution   * Set DOJ discretionary grants at 4% * Will more than triple DOJ discretionary grants from $31M in FY14 to $98M in FY16   *§ 1402 (d)(4)(C)* |
| **9** | **Provide Funds for, and Have DOJ Issue a Report on, State Planning** | Problem   * States often lack the resources and/or the will to plan how best to serve victims.   Toomey-Schumer Solution   * Provide that the funds that States may use for training may also be used for planning. *§ 1404(b)(3)(B)* * Require DOJ to issue a report to Congress on whether States should be required to submit State plans *§ 5 of Act* |