**FAIRNESS FOR VICTIMS OF CRIME ACT
OVERVIEW**

|  | **Issue** | **Details** |
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| **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
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| **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)*
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| **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)*
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| **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 Solution1. Limit the matching requirement to no more than 7.5%, allowing existing groups to collect 3$\frac{1}{3}$ times as much as they currently collect. *§ 1404(b)(4)*
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| **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)*
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| **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*
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