March 16, 2018

Dear Chairman Frelinghuysen, Ranking Member Lowey, Chairman Culberson, and Ranking Member Serrano:

We greatly appreciate your efforts to help crime victims by supporting the Crime Victims Fund and Victims of Crime Act (VOCA) programs. We are enormously grateful for your efforts to support a sustainable cap on the Crime Victims Fund. Your support represents a historic investment in meeting the crucial needs of victims of all types of crime.

While we do not yet know what the final full-year FY 2018 VOCA cap will be, we request that the Crime Victims Fund cap for Fiscal Year 2019 be set at no less than an amount that will sustain current levels of victim assistance services without any transfers to programs not authorized under the VOCA statute.

Under the recently released Administration spending proposal, it appears that state VOCA victim assistance grants in FY 2019 would be cut by at least 26 percent from the FY 2017 grants. This does not include additional cuts due to OJP management and administrative costs which are not spelled out in the DOJ budget documents. We urge you to reject out-of-hand reductions of this magnitude which will greatly harm the quantity and quality currently being provided to victims of crime.

We are also extremely concerned about the Administration’s proposal to make substantial long-term structural changes to the Crime Victims Fund. The Administration’s proposal would set all future VOCA obligation caps at $2.3 billion plus place a $2.5 billion limit on future annual Fund deposits. Congress set annual obligation caps in FY 2000 in recognition of “inconsistent levels of criminal fines deposited annually into the Fund.” A pattern of fluctuating annual deposits has persisted since then. For example, total Fund deposits since 2010 have varied from a low of $1.486 billion in 2016 to a record high of $6.584 billion the following year. In other words,
deposits that exceed the proposed $2.5 billion cap will most likely be required to replenish the Fund in order to maintain the stable funding. A prolonged period of low Fund deposits could easily empty out the Fund balance in just a few years. Limiting annual deposits into the Fund thus poses a very serious existential challenge to the Fund’s sustainability.

We recognize that the rate of violent victimization for both males and females are higher for American Indians than for all other races. According to the Bureau of Justice Statistics, the rate of violent victimization among American Indians age 25 to 34 is more than 2.5 times the rate for all persons in the same age range. We ask the subcommittee to direct the Department of Justice to make recommendations as to how best provide the resources to address the victim assistance needs of American Indian crime victims.

As you know, since 1984, the Victims of Crime Act has provided federal grants to provide essential, often lifesaving services for crime victims. The Crime Victims Fund is not financed by taxpayer dollars but by fines, forfeitures, and other penalties paid by federal criminal offenders. By statute, the Fund is dedicated solely to supporting victim services. Because these non-tax dollars have already been collected and deposited into the Fund, obligations from the Fund do not add to the national deficit or debt.

According to the Department of Justice, during FY 2017, state VOCA victim assistance grants provided vital, direct assistance that supports nearly 14,000 victim service projects operated by 7,800 public and community-based agencies nationwide. These include services to millions of victims of assault, murder, robbery, gang violence, intoxicated drivers, fraud, elder abuse, domestic violence, child abuse and neglect, sexual assault, stalking, and many other crimes. Additionally, VOCA supports victim assistance for those involved in the federal criminal justice system, victims and survivors of mass violence and terrorist acts and helps victims with financial assistance for medical care, mental health counseling, lost wages, and funeral and burial costs through VOCA victim compensation grants.

We also request that the amounts in the Crime Victims Fund be used solely for programs authorized under the VOCA statute. Since FY 2016, hundreds of millions of Fund dollars have been transferred to other programs for non-VOCA authorized programs. This undermines the statute's express requirement that the Fund be used solely for VOCA programs, the Fund’s long-term viability, and Congress’s longstanding commitment to crime victims. We thus continue to support the subcommittee’s efforts to eliminate these transfers from the Crime Victims Fund to non-VOCA programs.

We again express our great appreciation to the subcommittee for its leadership and ongoing support for important services to crime victims throughout our nation. Your consideration of our request will help ensure the long-term continuity of essential crime victim assistance services.

Sincerely,

JIM COSTA
Member of Congress

TED POE
Member of Congress
MARK DeSAULNIER  
Member of Congress

ERIC Swalwell  
Member of Congress

JOHN YARMUTH  
Member of Congress

DONALD M. PAYNE, JR.  
Member of Congress

Ann McLane Kuster  
Member of Congress

Elizabeth H. Esty  
Member of Congress

David Scott  
Member of Congress

Pramila Jayapal  
Member of Congress

Ryan A. Costello  
Member of Congress

Stacey E. Plaskett  
Member of Congress

John Lewis  
Member of Congress

Denny Heck  
Member of Congress

Jamie Raskin  
Member of Congress

Joseph P. Kennedy III  
Member of Congress
PETER DeFAZIO  
Member of Congress

ANDRÉ CARSON  
Member of Congress

DANNY K. DAVIS  
Member of Congress

CHELLIE PINGREE  
Member of Congress

ELIJAH E. CUMMINGS  
Member of Congress

MIKE D. ROGERS  
Member of Congress

STEVE KING  
Member of Congress

BEN RAY LUIJÁN  
Member of Congress

GERALD E. CONNOLLY  
Member of Congress

DAVID N. CICILLINE  
Member of Congress

KEITH ELLISON  
Member of Congress

ADAM SMITH  
Member of Congress

JERRY M. McNERNEY  
Member of Congress

BARBARA LEE  
Member of Congress
ED PERLMUTTER
Member of Congress

TUSLI GABBARD
Member of Congress

ANTHONY BROWN
Member of Congress

MARK TAKANO
Member of Congress

KATHLEEN M. RICE
Member of Congress

DAVE LOEBSCHEK
Member of Congress

CAROL SHEA-PORTEER
Member of Congress

JOHN K. DELANEY
Member of Congress

NORMA J. TORRES
Member of Congress

NIKI TSONGAS
Member of Congress

KYRSTEN SINEMA
Member of Congress

YVETTE D. CLARKE
Member of Congress

JIM COSTA
Member of Congress

DIANA DeGETTE
Member of Congress