

Federal Appropriation Process

The President's budget request and the House and Senate Appropriations bills specify a VOCA "Cap," which is the amount the Office for Victims of Crime (OVC) may release from the Crime Victim Fund (CVF) in a specific federal fiscal year (FFY).

February: President submits a budget proposal to Congress

March-April: House and Senate Budget Committees develop their versions of a budget resolution that sets overall topline spending levels for the following fiscal year. These are the spending caps which appropriators must stay within.

May-September: House and Senate Appropriations Subcommittees hold hearings and draft the 12 appropriations bills that, together, make up the federal budget. In theory the bills should be negotiated, passed and signed by the President before the new fiscal year begins on October 1. In practice, Congress rarely finalizes the appropriations bills before late winter.

If an appropriations bill is not signed by October 1, then Congress may pass a Continuing Resolution (CR) to allow an extension of federal spending at current levels. If Congress does not pass a CR or if the President vetoes it, then unfunded nonessential activities and programs (includes VOCA funding) are shut down until appropriations are enacted. Usually, the Department of Justice, Office of Justice Programs has enough reserves to continue to operate during a shutdown. However, if a prolonged shutdown were to happen, they would not be able to sustain operations.

Office for Victims of Crime Award Process

The Office for Victims of Crime (OVC) cannot determine or distribute state VOCA Assistance or Compensation formula award allocations until the appropriations are enacted. For example, the FFY 2022 appropriations bills have not been passed yet and as of December 28, 2021, there is a Continuing Resolution extending FFY 2021 funding through February 18, 2022. The hope would be there is an agreement on the budget before that date and that the budget be passed by Congress.

Once the budget is passed and a VOCA Cap determined, funds are appropriated and the statutory set asides are deducted from the CVF. Currently, those are (subject to change by Congress in any given federal fiscal year):

- OVC Administrative Costs
- \$500 Million to OVW
- \$10 Million to OIG
- Funding for the FBI Victim Specialists
- Funding for U.S. Attorney General's Offices
Victim-Witness Coordinators
- Federal Victim Notification System
- Tribal programming
- OVC discretionary grants
- Funding for the AEAP grant

After all those expenses are deducted, the remainder is available to award for the Victim Compensation and Victim Assistance programs. OVC calculates the Compensation awards for each state and deducts the total amount from the Cap. The funds remaining are distributed to state Victim Assistance programs based on a formula using population data.

Typical Funding Cycle for OVC Formula Grants

