November 24, 2020

The Honorable Jerry Moran, Chair
Senate Appropriations Committee
Subcommittee on Commerce, Justice, Science, and Related Agencies
144 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Jeanne Shaheen, Ranking Member
Senate Appropriations Committee
Subcommittee on Commerce, Justice, Science, and Related Agencies
125 Hart Senate Office Building
Washington, DC 20510

The Honorable José Serrano, Chairman
House Appropriations Committee
Subcommittee on Commerce, Justice, Science, and Related Agencies
H-310 Capitol Building
Washington, DC 20515

The Honorable Robert Aderholt, Ranking Member
House Appropriations Committee
Subcommittee on Commerce, Justice, Science, and Related Agencies
1016 Longworth House Office Building
Washington, DC 20515

The Honorable Richard Shelby, Chairman
Senate Appropriations Committee
304 Russell Senate Office Building
Washington, DC 20510

The Honorable Patrick Leahy, Ranking Member
Senate Appropriations Committee
437 Russell Senate Office Building
Washington, DC 20510

The Honorable Nita Lowey, Chairwoman
House Appropriations Committee
2365 Rayburn House Office Building
Washington, DC 20515

The Honorable Kay Granger, Ranking Member
House Appropriations Committee
1026 Longworth House Office Building
Washington, DC 20515

Dear Chairs and Ranking Members:

The undersigned organizations, representing thousands of victim service providers, along with the over 1,450 signers of this letter to Congress, call on you to prevent catastrophic cuts to VOCA grants in the final Commerce, Justice, Science, and Related Agencies (CJS) section of the Fiscal Year 2021 (FY’21) omnibus Appropriations bill. Specifically, we urge you to:

1) include an urgently needed fix to the Victims of Crime Act, and
2) release at least $2.65 billion from the Crime Victims Fund (CVF or the Fund).

Our organizations, which work to support and serve millions of survivors of crime, are extremely concerned about the 43% cut to the VOCA allocation in the Senate CJS bill, that will result in a **50% cut to allocations to state victim assistance grants. In addition, the bill does not include critically needed language to help increase deposits into the CVF, thus endangering
future funding allocations during a period of time when overall Fund levels are dangerously low.

The FY’21 cuts compound a 25% reduction to the VOCA allocation in the enacted FY’20 appropriations bill, for a proposed total cut in victim assistance grants of 74% from FY’19 to FY’21. These dramatic cuts are the result of historically low deposits into the CVF in recent years, as the Department of Justice increasingly enters into deferred prosecution and non-prosecution agreements in federal criminal cases, which, unlike monetary penalties associated with criminal convictions, are not deposited into the CVF. The solution is simple: redirect monetary penalties associated with deferred and non-prosecution agreements that are not otherwise obligated into the CVF. Congress must act now to include this fix in the omnibus appropriations bill. The lack of the statutory fix at this critical time will accelerate reductions in the Crime Victims Fund, meaning that future funding allocations will also be dangerously low.

As you know, VOCA, enacted in 1984, is a non-taxpayer fund made up of fines, forfeitures, and other penalties paid by federal criminal offenders. VOCA is the primary source of federal funding for thousands of victim service providers that serve millions of crime victims each year. Services include emergency shelter, housing, counseling, legal services, and more. VOCA also supplements state victim compensation funds, which help survivors pay medical bills, makes up for missed wages, and, in the most severe cases, helps pay for funeral costs.

In the pandemic and the related recession, rates of victimization are skyrocketing at the same time that local victim assistance programs are struggling to secure the funding they need to keep their doors open. The urgent fix to VOCA and steady funding is essential to ensure that victims can continue to access services they need to rebuild their lives in the aftermath of crimes. In the meantime, the VOCA cap must be consistent at $2.65 billion.

While the House-passed HEROES Acts (in May and September) include the critically needed VOCA fix, it is not included in any of the Senate COVID-19 relief packages. Over 1,450 organizations signed an urgent letter to Congress to urge the House and Senate to pass a VOCA fix by the end of the year to stave off drastic cuts and danger cuts to services for victims in need. All 56 state and territorial attorneys general have for Congress to act on VOCA.

Over 6,000 local organizations rely on funds from VOCA to provide lifesaving direct services to victims of types of crimes annually. For example:

Victim services in Ohio lost $44 million this year as compared to FY’19. Sexual assault, domestic violence, and children’s advocacy programs lost over $21 million. Rape crisis programs specifically lost over $7.5 million, with individual programs losing between 32% and 57% (as well as three 100% cuts) of VOCA funds. The further cuts proposed by
the Senate will essentially cut services in half, reducing survivor access to pre-2000 levels. Advocacy in Ohio as we know it will be lost until this funding is restored.

Programs in Eastern Kentucky have used VOCA funds to build an infrastructure and have funding stability for the first time to address the severe needs of their communities who face intergenerational violence and poverty. Without VOCA, the domestic violence programs in Eastern Kentucky would be thrown back into instability, and the survivors they serve would not be able to access the support they need to rebuild their lives.

In Arizona, advocates predict that shelters will close, with those in rural areas being particularly vulnerable. Some programs fund up to 100% of their services with VOCA funds - such as transitional housing and mobile advocacy. Those services, which are particularly needed in the pandemic, will be forced to shut down.

Congress must uphold the commitment it made to victims with the establishment of the CVF. To do so, the cap on the CVF must be set as high as possible during this year’s appropriations, and Congress must include the statutory fix to increase deposits into the Fund. We look forward to working with you in this final phase of the FY’21 appropriations process.

If you have any questions as you work on these issues, please contact Monica McLaughlin, NNEDV at mmclaughlin@nnedv.org or Terri Poore, NAESV at terri@endsexualviolence.org.

Sincerely,

National Alliance to End Sexual Violence
National Children’s Alliance
National Coalition Against Domestic Violence
National Indigenous Women’s Resource Center
National Network to End Domestic Violence

CC:
Senator Lindsey Graham, Chair, Senate Judiciary Committee
Senator Dianne Feinstein, Ranking Member, Senate Judiciary Committee
Representative Jerrold Nadler, Chairman, House Judiciary Committee
Representative Jim Jordan, Ranking Member, House Judiciary Committee
Senator Mitch McConnell, Majority Leader
Senator Charles Schumer, Minority Leader
Representative Nancy Pelosi, Speaker of the House
Representative Kevin McCarthy, Minority Leader
House and Senate Appropriations Committees
House and Senate Judiciary Committees