## B. Availability of Funds

The Director of OVC will make an annual grant to eligible State crime victim compensation programs equal to 40 percent of the amounts awarded by the State program to victims of crime from State sources of revenue during the fiscal year preceding the year of deposits in the Fund (two years prior to the grant year). Note: Amounts paid to compensate victims for property damage or property loss can not be included in a state's certification for a VOCA victim compensation grant award. If the amount in the Fund is insufficient to award each State 40 percent of its prior year's compensation payout, Section 1403(a)(2) of VOCA provides that all States will be awarded the same reduced percentage of their prior year payout from the available funds.

Funds are available for expenditure throughout the FFY of award as well as in the next FFY. The FFY begins on October 1 and ends on September 30. State crime victim compensation programs may pay compensation claims retroactively from October 1, even though the VOCA grant may not be awarded until later in the grant period. Funds that are not obligated by the end of the grant period must be returned to the General Fund of the U.S. Treasury. Therefore, States are encouraged to monitor closely the expenditure of VOCA funds prior to the end of the grant period.

## Administrative Costs

The Victims of Crime Act (VOCA) now allows up to five percent of VOCA crime victim compensation grant funds to be used for administering the state crime victim compensation grant program(s). It is in the State's discretion to use the allowable five percent for administration. However, any part of the allowable five percent which is not used for administrative purposes must be used for awards of compensation to crime victims.

The intent of this new provision of VOCA is to support and advance program administration in all operational areas including claims processing, staff development and training, public outreach, and program funding by supporting those activities that will improve program effectiveness and service to crime victims. If a state elects to use up to five percent of their VOCA compensation grant for administrative purposes, only those costs directly associated with administering the program, enhancing overall program operations, and ensuring compliance with Federal requirements, can be paid with limited

administrative grant funds. Further, States must certify that VOCA funds used for administrative purposes will not be used to supplant State or local funds but will be used to increase the amount of State funds that would be available for administering the compensation program. For the purpose of establishing a baseline level of effort, States should maintain documentation as to the overall administrative commitment of the State prior to their use of VOCA administrative grant funds.

Allowable administrative costs include but are not limited to the following: program personnel, salary and benefits; travel costs for attendance at state, regional, and national compensation training conferences; computer equipment and support services; costs involved in the production and distribution of program brochures and posters, and other program outreach activities; professional fees for computer services and peer review of compensation claims; agency membership dues for victim compensation organizations; program enhancements such as toll-free numbers; special equipment and materials to facilitate service to persons with disabilities, and other reasonable costs directly related to administering a compensation program. Indirect costs expressed as a percentage of state-wide joint costs will not be considered as

Staff supported by 5% of the VOCA compensation administrative funds under the VOCA Crime Victim compensation grant must work directly for the compensation program in the same proportion as their level of support from VOCA grant funds. If the staff have other functions, the proportion of time working on the compensation program must be documented using some reasonable method at regular intervals such as time and attendance records on all funded staff which demonstrate the portion of staff time spent on compensation related activities. The documentation must provide a clear audit trail for the expenditure of grant funds.

Only staff activities directly related to compensation functions can be funded with VOCA administrative funds. Similarly, any equipment purchases or other expenditures charged to the VOCA compensation grant should only be charged proportionate to the percentage of time utilized by the compensation program.

Temporary or periodic personnel support, such as qualified peer reviewers for medical and mental health claims, and data processing support services are also allowable. These services may be obtained through contract using VOCA administrative funds.

Those States that elect to utilize administrative funds under the VOCA compensation grant, shall include with their annual application a general description of how the administrative funds will be used. This description should include an itemization of the state's projected expenditures for allowable administrative cost. A state may modify projections set forth in their application by providing OVC a revised description of their planned use of administrative funds in writing, subsequent to submitting their annual application. However, the revised description must be reviewed prior to the obligation of any Federal funds.

Those States that elect to utilize administrative funds under the VOCA crime victim compensation grant, shall include a narrative description of the impact of VOCA administrative funds with their annual performance report.

## C. Application Process

Each year, OVC issues to each eligible State a Program Instruction and Application Kit, which contains the necessary forms and detailed information required to make application for VOCA crime victim compensation grant funds. The amount for which each State may apply is included in the Application Kit. States shall use the Standard Form 424, Application for Federal Assistance, and its attachments to apply for VOCA victim compensation grant funds. Applications for VOCA crime victim compensation grants may only be submitted by the State agency designated by the Governor to administer the VOCA grant.

Completed applications must be submitted on or before the stated deadline, as determined by OVC. If an eligible State fails to apply for its crime victim compensation allocation by the prescribed deadline, OVC will redistribute Federal VOCA crime victim compensation dollars to the VOCA victim assistance grant program as provided by Section 1404(a)(1) of VOCA (42 U.S.C. 10603 (a)(1)), assuming all states have received the statutorily prescribed 40% (percent) of their prior years payouts.

In addition to submission of the Application for Federal Assistance, States shall:

- 1. Specify their arrangements for complying with the provisions of Circular A–128 (Audits of State or Local Government.)
- 2. Submit Certifications Regarding Lobbying, Debarment, Suspension, and