

Required Files for VOCA VICTIM COMPENSATION GRANT APPLICATIONS

Before logging into GMS, make three (3) computer files. All file names must include the State/Commonwealth initials. See below.

File 1. Administrative and Training Funds usage. State grantees choosing to use a portion of the award for administrative and training purposes must report the percentage/amount of the total grant that will be used for these purposes. The Department of Justice Reauthorization Act of 2005 (Pub. L. No. 109-162) amended the Victims of Crime Act by expanding the purposes of the 5 percent administrative set aside for State Victim Compensation and Victim Assistance programs. Under 42 U.S.C. 10602(a)(3) and 10603(b)(3) respectively, eligible State Victim Compensation and State Victim Assistance programs may set aside up to a total of 5 percent of the respective grant funds for administrative and training purposes. [In other words, the combination of a grantee's administrative budget and training budget may not be more than 5 percent of the grant award for that fiscal year.]

File 2. Certification of State Grantee Eligibility Requirements statement. (Hint: Copy and use the statement below.) Each state grantee must provide written, signed certification that it complies with and will comply with the requirements of Part II, State Grantee Eligibility Requirements. These include:

- Promotes victim cooperation with reasonable requests of law enforcement authorities.
- Certifies that grants received for crime victim compensation will not be used to supplant state funds otherwise available to provide crime victim compensation.
- Provides compensation to residents and nonresidents on the same basis.
- Provides compensation to victims of federal crimes occurring within the state on the same basis that it provides compensation to victims of state crimes.
- Does not, except according to state-established rules, deny compensation to any victim because of the victim's familial relationship to the offender or because the victim and offender share the same residence.
- Includes as compensable those crimes that result in victims suffering death or personal injury as a result of the intentional or attempted defacement, damage, or destruction of any religious real property because of its religious character, or the obstruction, by force, or threat of force, of any person's enjoyment of the free exercise of religious beliefs when the crime is covered by interstate or foreign commerce. VOCA also requires that states include as compensable those crimes that result in victims suffering death or personal injury as a result of the intentional or attempted defacement, damage, or destruction of any religious real property because of the race, color, or ethnic characteristics of any individual associated with the religious property.
- Provides other information and assurances related to the crime victim compensation program that the OVC Director may reasonably require.
- Requires that the grantee assist OVC in implementing its responsibilities under the National Historic Preservation Act (NHPA). Specifically, the grantee will establish and maintain records when reviewing and considering any request for use of grant funds that involves proposed renovation work. Renovation work includes altering or otherwise improving the exterior or interior of a structure. This applies to proposed renovation work that is not only specifically funded with OVC compensation grant funds, but also may be funded by the grantee or any third party as a prerequisite to accommodate the proposed use of the grant funds. This provision is limited to state grantees and cannot be passed through as an obligation for a victim. The grantee

must certify to OVC that they have established and maintain records of any proposed renovation work on a structure that is less than 50 years old or 50 years and older. If the structure is determined to be less than 50 years old and this fact

is documented in the grant file, no further action is required. If any portion of the structure is 50 years or older, the grantee is required to contact the State Compensation and Assistance Division Director at 202-307-5983 to provide information needed for the NHPA consultation process. This may include assisting OVC to consult with the State Historic Preservation Officer and amending the proposed renovation work to avoid any potential adverse impact to the historic structure. The grantee assures not to fund any proposed renovation of a structure 50 years or older until the grantee has received written approval from OVC.

File 3. State statute covering the crime victim compensation program. A resource for electronic copies of legislation is the Web site <http://www.romingerlegal.com>, which provides links to all state statutes.