

Side-by-Side Comparison of the VOCA Victim Assistance Guidelines and Rule

Topic	Section	VOCA Victim Assistance Program Guidelines (62 FR 19607, Apr. 22, 1997)	Section	VOCA Victim Assistance Program Final Rule (81 FR 44528, August 8, 2016)
Format- Reorganizes Provisions				Reorganizes the program rules into six major divisions: 1) General Provisions; 2) State Administering Agency (SAA) Program Requirements; 3) SAA Use of Funds for Administration and Training; 4) Sub-Recipient Program Requirements; 5) Sub-Recipient Project Requirements; and 6) Sub-Recipient Allowable/Unallowable Costs.
General Provisions				
General Provisions: Purpose and scope; future guidance; construction and severability; compliance date			94.101 Purpose and scope; future guidance; construction and severability; compliance date	
General Provisions: Purpose and Scope	Sect. 1: Backgrnd.; IV(A)(6), Compl. with Federal Laws; IV(A)(7), Compl. with VOCA	<p>OVC makes annual VOCA crime victim assistance grants from the Fund to states. The primary purpose of these grants is to support the provision of services to victims of crime throughout the Nation.</p> <p>Requires compliance by state grantees with all federal laws and regulations applicable to federal assistance programs and with the provisions of Title 28 of the Code of Federal Regulations (CFR) applicable to grants.</p> <p>Requires compliance by the state grantee and sub-recipients with the applicable</p>	94.101(a) Purpose and Scope	<p>Substantially the same. This subpart implements the provisions of VOCA, at 42 U.S.C. 10603. As of July 8, 2016, this subpart authorizes the Director to make an annual grant to the chief executive of each State for the financial support of eligible crime victim assistance programs.</p> <p>VOCA sets out the statutory requirements governing these grants, and this subpart should be read in conjunction with it. Grants under this program are also subject to the government-wide grant rules in 2 CFR part 2800, and the DOJ Grants Financial Guide.</p>

		provisions of VOCA and the Final Program Guidelines.		
General Provisions: Future Guidance		Not included.	94.101(b) Future Guidance	The Director may, pursuant to 42 U.S.C. 10604(a), prescribe guidance for grant recipients and sub-recipients under this program on the application of this subpart.
General Provisions: Construction and Severability		Not included.	94.101(c) Constr. and Sever.	Any provision of this subpart held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding shall be one of utter invalidity or unenforceability, in which event such provision shall be deemed severable from this part and shall not affect the remainder thereof or the application of such provision to other persons not similarly situated or to other, dissimilar circumstances.
General Provisions: Compliance Date	Effective Date	The Guidelines were effective October 1, 1996, but are superseded by the Rule.	94.101(d) Compl. Date	<i>Change from the Guidelines. Adds the effective date for the Rule. The rule applies to all grants under this program made by OVC after August 8, 2016, except for funds that the SAA obligated before August 8, 2016 (i.e., pre-award funds under grants made in the year that the rule comes into effect).</i> VOCA Assistance grants typically have an award period that extends retroactively to October 1 st of the fiscal year of the award, thus there may be funds under grants made after the effective date that were obligated by the SAA prior to the effective date, and subsequently ratified by OVC's approval of the grant. The final rule does not apply retroactively. However, OVC will permit SAAs to apply the provisions that expand SAA discretion in the use of funds (e.g., the final rule permits SAAs to fund a greater range of transitional housing services than the Guidelines permit) to VOCA assistance funding under OVC grants made before the effective date of the rule that is obligated on or after the effective date.

Definitions

Definitions

94.102 Definitions

Definitions: "Crime victim" or "Victim of Crime"	Sect. 1 Backgrnd.	For the purpose of the VOCA crime victim assistance grant program, a "crime victim" is a person who has suffered physical, sexual, financial, or	94.102 "Crime victim" or "Victim of crime"	Same definition as in the Guidelines. "Crime victim" or "victim of crime" means a person who has suffered physical, sexual, financial, or emotional harm as a result of the commission of a crime.
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Definitions: “Direct Services” or “Services to Victims of Crime”	Sect. I Backgrnd.	Defines “services” as those efforts that (1) respond to the emotional and physical needs of crime victims; (2) assist primary and secondary victims of crime to stabilize their lives after a victimization; (3) assist victims to understand and participate in the criminal justice system; and (4) provide victims of crime with a measure of safety and security such as boarding up broken windows and replacing or repairing locks.	94.102 “Direct services” or “Services to victims of crime”	Rewords the definition for “services” to read: “Direct services or services to victims of crime” means those services described in 42 U.S.C. 10603(d)(2), and efforts that— (1) Respond to the emotional, psychological, or physical needs of crime victims; (2) Assist victims to stabilize their lives after victimization; (3) Assist victims to understand and participate in the criminal justice system; or (4) Restore a measure of safety and security for the victim.
Definitions: “Project”	Sect. 1 Backgrnd.	Not included.	94.102 “Project”	<i>Adds a definition for “project.”</i> The term means the direct services project funded by a grant under this program, unless the context of the rule indicates otherwise.
Definitions: “Spousal Abuse”	Sect. IV(A)(3) Priority Areas	Uses the term “domestic abuse” when describing the priority category of “spousal abuse.”	94.102 “Spousal abuse”	<i>Adds a definition for “spousal abuse.”</i> The term includes domestic and intimate partner violence. States may serve (and count those services toward the priority category of “spousal abuse”) all victims of domestic and intimate partner violence—encompassing violence or abuse by one person against another in a domestic context or intimate-partner context—as the definition does not require legal recognition of any particular relationship, nor does it implicate State or territorial laws concerning marriage rights.
Definitions: “Victim of Child Abuse”		Not included.	94.102 “Victim of child abuse”	<i>Change from the Guidelines. Adds a definition for the statutory term “victim of child abuse.”</i> The term means a victim of crime, where such crime involved an act or omission considered to be child abuse under the law of the relevant SAA jurisdiction. In addition, for purposes of this program, victims of child abuse

				<p>may include, but are not limited to, child victims of: physical, sexual, or emotional abuse; child pornography-related offense; neglect; commercial sexual exploitation; bullying; and/or exposure to violence.</p> <p>Clarifies that the definition encompasses harm to children, and is not meant to include adults who were victimized as children. Note, this does not preclude States from funding services to adults victimized as children; it merely means that States cannot count such services under the child-abuse priority category.</p> <p>The definition is broad enough to encompass sex and labor trafficking and slurs and family rejection as examples of the emotional abuse of children, if States consider them to be child abuse.</p>
Definitions: “Elder Abuse”	Sect, IV(A)(4) “Previously Underser. Priority Areas	“Elder abuse” is defined as the mistreatment of older persons through physical, sexual, or psychological violence, neglect, or economic exploitation and fraud.	94.104(c) Previously Underser. Category (Ten Percent Total) (also see Preamble)	<p>See sect. 94.104(c), which sets out the criteria by which SAAs must identify (for allocation of funds, reporting, and compliance purposes) services that assist previously underserved populations of victims of violent crime. Also, see the Preamble for more guidance.</p> <p><i>Change from the Guidelines. Per sect. 94.104(c), SAAs shall identify which type of crime victim a service project assists by the type of crime they experience (e.g., victims of elder abuse) OR the characteristics of the victim (e.g., LGBTQ victims), OR both (e.g., victims of violent crime in high crime urban areas). See the Preamble for further guidance.</i></p>
SAA Program Requirements				
SAA Program Requirements: General			94.103 General	
SAA Program Requirements, General: Direct Services	Sect. 1 Backgrnd.; II(D) Allocation of Funds Within the States; IV (B)(11) Services to Victims of	VOCA gives latitude to state grantees to determine how VOCA victim assistance grant funds will best be used within each state. However, each state must abide by the minimal requirements outlined in VOCA and the Guidelines.	94.103(a) Direct Services	<p>States that SAAs may use VOCA funds to provide direct services through sub-recipients or in their own projects, and to cover administrative and training costs of the SAA.</p> <p>SAAs have sole discretion to determine which organizations will receive funds, and in what amounts, subject to the minimum requirements set forth in VOCA and this subpart. SAAs must ensure that projects provide services to victims of federal crimes on the same basis as to victims of crimes under State or local law.</p>

	Federal Crimes	States that VOCA funds are to be used to provide “direct services to crime victims.” States have sole discretion for determining which organizations will receive funds, and in what amounts, as long as the recipients meet the requirements of VOCA and the Guidelines. Sub-recipients must provide services to victims of federal crimes on the same basis as victims of state/local crimes.		SAs may fund direct services regardless of a victim’s participation in the criminal justice process. Also, <i>adds that victim eligibility under this program for direct services is not dependent on the victim’s immigration status.</i>
SAA Program Requirements, General: SAA Eligibility Certification	Sect. III(A) State Grantee Application Process	Each year, OVC issues a Program Instruction and Application Kit to each designated state agency. The Application Kit contains the necessary forms and information required to apply for VOCA grant funds. At the time of application, state grantees are not required to provide specific information regarding the sub-recipients that will receive VOCA victim assistance funds. Sets forth specific information state grantees must submit with completed applications.	94.103(b) SAA Eligibility Certification	Substantially the same. Each SAA must certify that it will meet the criteria set forth in VOCA, at 42 U.S.C. 10603(a)(2), and in this subpart. This certification shall be submitted by the chief executive of the State (or a designee) annually in such form and manner as OVC specifies from time to time. As of July 8, 2016, VOCA requires the chief executive to certify that— 1) Priority will be given to programs providing assistance to victims of sexual assault, spousal abuse, or child abuse; 2) Funds will be made available to programs serving underserved victims; 3) VOCA funds awarded to the State, and by the State to eligible crime victim assistance programs, will not be used to supplant State and local government funds otherwise available for crime victim assistance.
SAA Program Requirements, General: Pass-Through Administration	Sect. III(B) Admin. Cost Provision for State Grantees – Allowable-Conduit	State grantees may choose to award administrative funds to a “conduit” organization that assists in selecting qualified sub-recipients and/or reduces the state grantee’s administrative burden in	94.103(c) Pass-Through Admin.	<i>Clarifies that pass-through funding is permissible, and sets parameters for such funding arrangements.</i> SAs have broad latitude in structuring their administration of VOCA funding. VOCA funding may be administered by the SAA itself, or by other means, including the use of pass-through entities (such as coalitions of victim service providers) to make determinations regarding award distribution and to

	Funding	implementing the grant program. However, the use of a “conduit” organization does not relieve the state grantee from ultimate programmatic and financial responsibilities.		administer funding. SAAs that opt to use a pass-through entity shall ensure that the total sum of VOCA funding for administrative and training costs for the SAA and pass-through entity is within the VOCA limit, the reporting of activities at the direct-service level is equivalent to what would be provided if the SAA were directly overseeing sub-awards, and an effective system of monitoring sub-awards is used. SAAs shall report on the pass-through entity in such form and manner as OVC may specify from time to time.
SAA Program Requirements, General: Strategic Planning	Sect. II(D) Allocation of Funds Within the State	State grantees are encouraged to develop a VOCA program funding strategy. Lists criteria for states to consider in developing a funding strategy.	94.103(d) Strategic Planning	Substantially the same. SAAs are encouraged to develop a funding strategy. <i>Lists essentially the same criteria as in the Guidelines that SAAs should consider, and adds “the sustainability of such services.”</i> SAAs are encouraged to develop a funding strategy, which should consider the following: The range of direct services throughout the State and within communities; the sustainability of such services; the unmet needs of crime victims; the demographic profile of crime victims; the coordinated, cooperative response of community organizations in organizing direct services; the availability of direct services throughout the criminal justice process, as well as to victims who are not participating in criminal justice proceedings; and the extent to which other sources of funding are available for direct services.
SAA Program Requirements, General: Coordination	Sect. IV(A)(12) Coord. with State VOCA Comp. Program and Federal Law Enfmnt.	Encourages state grantees to coordinate their activities with their state’s VOCA compensation program and the U.S. Attorney’s Office and FBI Field Offices within their state.	94.103(e) Coord.	<i>Adds some federal programs and organizations to the lists for SAAs to consider.</i> Encourages SAAs to coordinate their activities with their jurisdiction’s VOCA compensation programs, STOP Violence Against Women Formula Grant Program administrator, victim assistance coalitions, federal agencies, and other relevant organizations.
SAA Program Requirements, General: Compliance With Other Rules and Requirements	Sect. II(D) Allocation of Funds Within the State; IV(A)(5-7)	Requires compliance with VOCA and the Guidelines. Requires compliance with the OJP Financial Guide and all federal laws and regulations applicable to federal assistance programs and the CFR.	94.103(f) Compliance With Other Rules and Reqts.	Substantially the same. <i>Adds compliance with any guidance issued by OVC.</i> Requires SAAs to comply (and ensure sub-recipient compliance) with all applicable provisions of VOCA, this rule, and any guidance issued by OVC, as well as all applicable provisions of the DOJ Grants Financial Guide and government-wide grant rules.
SAA Program Requirements,	Sect. VII(A) Monit.,	The Office of the Comptroller conducts periodic reviews of	94.103(g) Access to	<i>Adds a requirement that, upon request, and not just during a site visit, SAAs provide OVC access to records related to VOCA funding. Removes language</i>

General: Access to Records	Office of the Compt.; VII(B) Office for Victims of Crime	the financial policies, procedures, and records of VOCA grantees and sub-recipients. Requires, upon request, that state grantees and sub-recipients provide “authorized representatives” access to records. OVC will conduct on-site monitoring and review records and files.	Records	<i>referencing the Office of the Comptroller.</i> SAAs shall, upon request, and consistent with 2 CFR 200.336, permit OVC access to all records related to the use of VOCA funding.
SAA Program Requirements: Allocation of Sub-Awards			94.104: Allocation of Sub-Awards	
SAA Program Requirements, Allocation of Sub-Awards: Directed Allocation of Forty Percent Overall	Sect. IV(A)(3) Priority Areas	Not included.	94.104(a) Directed Allocation of Forty Percent Overall	<i>Change from the Guidelines. Adds a new section. States where victims of priority category crimes are determined to be underserved as well, an SAA may count funds allocated to projects serving such victims in either the priority category or the underserved category, but not both.</i>
SAA Program Requirements, Allocation of Sub-Awards: Priority Categories of Crime Victims (Thirty Percent Total)	Sect. IV(A)(3) Priority Areas	Priority shall be given to victims of sexual assault, domestic abuse, and child abuse. Thus, a minimum of 10% of each FFY’s grant (30% total) will be allocated to each of these categories of crime victims. This grantee requirement does not apply to VOCA sub-recipients.	94.104(b) Priority Categories of Crime Victims (Thirty Percent Total)	Substantially the same. As under the Guidelines, requires a minimum of ten percent of each year’s VOCA grant to each of three priority areas: sexual assault, spousal abuse, and child abuse. SAAs shall allocate a minimum of ten percent of each year’s VOCA grant to each of the three priority categories of victims specified in the certification requirement in VOCA, at 42 U.S.C. 10603(a)(2)(A), which, as of July, 8, 2016, includes victims of— (1) Sexual assault, (2) Spousal abuse and (3) Child abuse.
SAA Program Requirements, Allocation of	Sect. IV (A)(4) “Previously	An additional 10% of each VOCA grant will be allocated to victims of violent crime	94.104(c) Previously Underser.	<i>Change from the Guidelines. SAAs shall identify which type of crime victim a service project assists by the type of crime they experience (e.g., victims of elder abuse) OR the characteristics of the victim (e.g., LGBTQ victims), OR both</i>

<p>Sub-Awards: Previously Underserved Category (Ten Percent Total)</p>	<p>Underser.” Priority Areas</p>	<p>(other than “priority” category victims) who were “previously underserved.”</p> <p>To meet the underserved requirement, state grantees must identify crime victims by the types of crime they have experienced. States are also encouraged to also identify gaps in available services by victims’ demographic characteristics.</p>	<p>Category (Ten Percent Total) (also see Preamble)</p>	<p><i>(e.g., victims of violent crime in high crime urban areas).</i></p> <p>SAA’s shall allocate a minimum of ten percent of each year’s VOCA grant to underserved victims of violent crime as specified in VOCA, at 42 U.S.C. 10603(a)(2)(B).</p> <p>Sets out the criteria by which SAA’s must identify (for allocation of funds, reporting, and compliance purposes) services that assist previously underserved populations of victims of violent crime. SAA’s must identify such a service for underserved victims of violent crime by the type of crime they experience (<i>e.g.,</i> victims of elder abuse) or the characteristics of the victim (<i>e.g.,</i> LGBTQ victims), or both (<i>e.g.,</i> victims of violent crime in high crime urban areas). Underserved victims may differ between jurisdictions, but some examples of victim populations often underserved at the time of this rulemaking may include, but are not limited to, DUI/DWI victims; survivors of homicide victims; American Indian/Alaskan Native victims in certain jurisdictions with insufficient victim service resources; victims of physical assault; adults molested as children; victims of elder abuse; victims of hate and bias crimes; victims of kidnapping; child victims and adult survivors of child pornography; child victims of sex trafficking; victims of violent crime in high crime areas; LGBTQ victims; victims of federal crimes, victims of robbery; and victims of gang violence. OVC has removed from the final rule the examples of possibly underserved victim populations, as such a list may change over time and is more appropriately set out in the preamble and supplementary OVC guidance, as necessary. (As discussed in the Preamble.)</p>
<p>SAA Program Requirements, Allocation of Sub-Awards: Exceptions to Required Allocations</p>	<p>Sect. IV (A)(3) Priority Areas; IV(A)(4) “Previously Underser.” Priority Areas</p>	<p>Sets forth criteria a state grantee must demonstrate to OVC in order to receive a waiver to the allocation requirements for priority areas and “previously underserved” priority areas.</p>	<p>94.104(d) Exceptions to Required Allocations</p>	<p><i>Changes the criteria to be demonstrated for a waiver. Removes the list of criteria for a State grantee to demonstrate in order to receive a waiver. A waiver can now be granted if the State grantee demonstrates to the satisfaction of the Director that there is good cause therefor.</i></p> <p>States the Director may approve an allocation different to the required allocations pursuant to a written request from the SAA that demonstrates (to the satisfaction of the Director) that there is good cause therefor.</p>

SAA Program Requirements, Allocation of Sub-Awards: Sub-Award Process	Sect. II(D) Allocation of Funds Within the States	Provides that States have sole discretion for determining which organizations will receive funds, and in what amounts, as long as the recipients meet the requirements of VOCA and the Guidelines.	94.104(e) Sub-Award Process: Docum., Conflicts of Interest, and Competition of Funding to Sub-recipient.	<p><i>Change from the Guidelines. New requirement that SAAs maintain a documented methodology for selecting all competitive and non-competitive sub-recipients.</i></p> <p>SAAs have sole discretion to determine which organizations will receive funds, and in what amounts, subject to the requirements of VOCA, this rule, and the provisions in the DOJ Grants Financial Guide relating to conflicts of interest. OVC notes that any organization funded with VOCA Assistance funding—even through a competitive process—must meet the statutory program eligibility criteria, which requires either a record of effective victim services and financial support from non-VOCA funding, or substantial support from non-VOCA funding.</p> <p>Text:</p> <p>(1) SAAs have sole discretion to determine which organizations will receive funds, and in what amounts, subject to the requirements of VOCA, this subpart, and the provisions in the DOJ Grants Financial Guide relating to conflicts of interest. SAAs must maintain a documented methodology for selecting all competitive and noncompetitive sub-recipients.</p> <p>(2) SAAs are encouraged to award funds through a competitive process, when feasible. Typically, such a process entails an open solicitation of applications and a documented determination, based on objective criteria set in advance by the SAA (or pass-through entity, as applicable).</p>
SAA Program Requirements, Allocation of Sub-Awards: Direct-Service Projects Run by SAAs	Sect. IV(C)(5) Others	<p>State grantees that meet the definition of an eligible sub-recipient organization may not subaward themselves more than ten percent of their annual VOCA award.</p> <p>This limitation applies to all states and territories, except for the Northern Mariana Islands, Guam, American Samoa, and the Republic of Palau.</p>	94.104(f) Direct Service Projects Run by SAAs	<p>Substantially the same.</p> <p>Permits an SAA to use no more than ten percent of its annual VOCA grant to fund its own direct service projects, unless the Director grants a waiver.</p>

SAA Program Requirements: Reporting Requirements			94.105 Reporting Requirements	
SAA Program Requirements, Reporting Requirements: Subgrant Award Reports	Sect. V(A) Program Reporting Reqts., Subgrant Award Reports	<p>A Subgrant Award Report is required for each organization that receives VOCA funds.</p> <p>Subgrant Award Reports are not to be completed for organizations that serve only as conduits for distributing VOCA funds or for organizations that provide limited, emergency services, on an hourly rate, to the VOCA sub-recipient organizations. Services and organizations that are purchased by a VOCA sub-recipient are to be included on the sub-recipient's Subgrant Award Report.</p> <p>Requires subgrant award reports be submitted to OVC within 90 days of making the subaward.</p>	94.105(a) Subgrant Award Reports	<p><i>Change from the Guidelines. Now requires a Subgrant Award Report on a pass-through entity. Removes the "90 day" reporting deadline.</i></p> <p>Requires SAAs to submit at such times and in such form and manner as OVC may specify from time to time, subgrant award reports to OVC for each project that receives VOCA funds. <i>If an SAA awards funds to a pass-through entity, the SAA also shall submit a report on the pass-through entity, at such times and in such form and manner as OVC may specify from time to time. Removes the "90 day" reporting deadline and requires a Subgrant Award Report "at such times and in such form and manner as OVC may specify from time to time.</i></p>
SAA Program Requirements, Reporting Requirements: Performance Report	Sect. V(B) Reporting Reqts., Perform. Report	<p>Requires specific grant performance data be submitted to OVC by December 31 of each year.</p> <p>Contains an administrative cost provision requiring specific reporting criteria of a portion of the VOCA victim assistance grant was used for administrative costs.</p>	94.105(b) Perform. Report	<p><i>Change from the Guidelines. Removes the "December 31" deadline. Removes the administrative cost provision requiring specific reporting information.</i></p> <p>SAAs shall submit, in such form and manner as OVC may specify from time to time, performance reports to OVC on a quarterly basis.</p>

SAA Program Requirements, Reporting Requirements: Obligation to Report Fraud, Waste, Abuse, and Similar Misconduct	Sect. IV(A)(11) Program Reqts. Obligation to Report Other Allegation/ Findings	State grantees are required to <i>immediately</i> notify OVC in the event of a formal allegation or finding of fraud, waste, and/or abuse of VOCA funds. Must also apprise OVC of the status of any on-going investigations.	94.105(c) Obligation to Report Fraud, Waste, Abuse, and Similar Misconduct	<p><i>Change from the Guidelines. Uses broader language to include “similar misconduct” and not only fraud, waste, and abuse. Uses the term “promptly” notify OVC versus “immediately.” Requires evidence be referred to the DOJ’s Office of the Inspector General. Requires SAAs to apprise OVC, in a timely fashion, of the status of an on-going investigation.</i></p> <p>SAAs shall:</p> <ol style="list-style-type: none"> 1) <i>Promptly</i> notify OVC of any formal allegation or finding of fraud, waste, abuse, or similar misconduct involving VOCA funds; 2) <i>Promptly refer any credible evidence of such misconduct to the Department of Justice Office of the Inspector General; and</i> 3) <i>Apprise OVC, in a timely fashion,</i> of the status of any on-going investigation.
SAA Program Requirements: Monitoring Requirements			94.106 Monitoring Requirements	
SAA Program Requirements, Monitoring Requirements: Monitoring Plan	Sect. VII: Monit.; IV(A)(5) Program Reqts., State Grantee Eligibility Reqts., Financial Recordkg., and Program Monitoring	<p>States that OVC will conduct on-site monitoring in which each state grantee is visited a minimum of once in every three years.</p> <p>Does not mention on-site monitoring by SAAs.</p> <p>Appropriate accounting, auditing, and monitoring procedures will be used at the grantee and sub-recipient levels so that records are maintained to ensure fiscal control, proper management, and efficient disbursement of the VOCA victim assistance funds, in accordance with the OJP Financial Guide, effective edition.</p>	94.106(a) Monitoring Plan	<p><i>Change from the Guidelines. Requires SAAs, unless granted a waiver by the Director, to develop a monitoring plan that must include a risk assessment plan.</i></p> <p>OVC maintains the default monitoring requirements of the Guidelines, but now permits States to seek a waiver from the Director to use alternatives. Requires SAAs to develop and implement monitoring plans based on a default of regular desk monitoring and biennial on-site monitoring. Adds a requirement that such monitoring plans include a risk assessment plan. (As discussed in the Preamble.)</p> <p>Text: Unless the Director grants a waiver, SAAs shall develop and implement a monitoring plan in accordance with the requirements of this section and 2 CFR 200.331. The monitoring plan must include a risk assessment plan.</p>

SAA Program Requirements, Monitoring Requirements: Monitoring Frequency	Sect. VII Monit.; IV(A)(5) Program Reqts., State Grantee Eligibility Reqts., Financial Recordkg., and Program Monitoring	States that OVC will conduct on-site monitoring in which each state grantee is visited a minimum of once in every three years. Does not mention on-site monitoring by SAAs. Appropriate accounting, auditing, and monitoring procedures will be used at the grantee and sub-recipient levels so that records are maintained to ensure fiscal control, proper management, and efficient disbursement of the VOCA victim assistance funds, in accordance with the OJP Financial Guide, effective edition.	94.106(b) Monitoring Frequency	<i>Change from the Guidelines. Requires SAAs conduct regular desk monitoring and on-site monitoring every two years of all sub-recipients. Does not include monitoring by OVC; only SAAs.</i> SAAs shall conduct regular desk monitoring of all sub-recipients. In addition, SAAs shall conduct on-site monitoring of all sub-recipients at least once every two years during the award period, unless a different frequency based on risk assessment is set out in the monitoring plan.
SAA Program Requirements, Monitoring Requirements: Recordkeeping	Sect. IV(A)(5) Program Reqts., State Grantee Eligibility Reqts., Financial Recordkpg. and Program Monitoring	Appropriate accounting, auditing, and monitoring procedures will be used at the grantee and sub-recipient levels so that records are maintained to ensure fiscal control, proper management, and efficient disbursement of the VOCA victim assistance funds, in accordance with the OJP Financial Guide, effective edition.	94.106(c) Recordkpg.	Substantially the same. Specifies SAAs <i>shall maintain a copy of site visit results</i> and other documents related to compliance.
SAA Use of Funds for Administration and Training				
SAA Use of Funds for Administration and Training: Administration and Training			94.107 Administration and Training	

SAA Use of Funds for Admin. and Trng., Admin. and Trng.	Sect. III(B) Admin. Cost Provision for State Grantees	Permits the SAA to charge any federally approved indirect cost rate to the grant. However, any indirect costs requested must be paid from the five percent administrative funds.	94.107 Admin, and Training	<i>Note, this section does not contain the language regarding indirect costs from the Guidelines. Indirect costs provision moved to section 94.109(a).</i>
SAA Use of Funds for Admin. and Trng., Admin. and Trng.: Amount	Sect. III(B) Admin. Cost Provision for State Grantees	Permits each grantee <i>to retain up to, but not more than, 5%</i> of each year's grant for administering the VOCA victim assistance grant at the state grantee level with the remaining portion being used exclusively for direct services to crime victims or to train direct service providers.	94.107(a) Amount	Substantially the same, but the language is broader allowing for potential amendments to VOCA changing the five percent cap. No SAA may use more than the amount prescribed by VOCA, at 42 U.S.C. 10603(b)(3), for training and administration. <i>As of July, 8, 2016, the amount is five percent of a State's annual VOCA grant.</i>
SAA Use of Funds for Admin. and Trng., Admin. and Trng.: Notification	Sect. III(A)(7) Admin. Cost Provision Notif.; III(B) Admin. Cost Provision for State Grantees	States must indicate in a letter transmitting their annual grant application whether they intend to use the administrative cost provision. Grantees are required to certify that VOCA administrative funds will not be used to supplant state funds.	94.107(b) Notification	<i>Change from the Guidelines. Permits SAAs to notify OVC of their decision to use VOCA funds for training or administration either in their application or within 30 days of such decision.</i> An SAA shall notify OVC of its decision to use VOCA funds for training or administration, either at the time of application for the VOCA grant or within thirty days of such decision. Such notification shall indicate what portion of the amount will be allocated for training and what portion for administration. If VOCA funding will be used for administration, the SAA shall follow the rules and submit the certification required in § 94.108 regarding supplantation.
SAA Use of Funds for Admin. and Trng., Admin. and Trng.: Availability	Sect. III(B) Admin. Cost Provision for State Grantees	Requires that administrative funds be expended during the project period for which the grant was awarded.	94.107(c) Availability	Substantially the same. Requires that SAAs ensure that each training and administrative activity funded by the VOCA grant occurs within the award period.
SAA Use of Funds for Admin. and Trng., Admin.	Sect. V(B)(2) Reporting Reqts.,	Contains an administrative cost provision requiring specific reporting criteria of a	94.107(d) Document	<i>Change from the Guidelines. More flexible reporting requirements for T&A. Not required as part of the Performance report.</i>

and Trng.: Documentation	Perform. Report, Admin. Cost Provision	<p>portion of the VOCA victim assistance grant was used for administrative costs.</p> <p>For those state grantees who opt to use a portion of the VOCA victim assistance grant for administrative costs, the Performance Report will be used to describe how the funds were actually used and the impact of the 5% administrative funds on the state grantee's ability to expand, enhance, and improve services to crime victims. State grantees who choose to use a portion of their VOCA victim assistance grant for administrative costs must maintain a clear audit trail of all costs supported by administrative funds and be able to document the value of the grantee's previous commitment to administering VOCA.</p>		Requires SAAs to maintain sufficient records to substantiate the expenditure of VOCA funds for training or administration.
SAA Use of Funds for Admin. and Trng., Admin. and Trng.: Volunteer Training	Sect. IV(E)(1)(g) Personnel Costs	The cost of training paid and volunteer staff is an allowable cost for direct services.	94.107(e) Volunteer Training	<p>Substantially the same. The cost of training volunteers will not count against the five percent T&A cap.</p> <p>States that SAAs may allow sub-recipients to use VOCA funds to train volunteers in how to provide direct services when such services will be provided primarily by volunteers. Such use of VOCA funds will not count against the five percent limitation amount for training and administration.</p>
<i>SAA Use of Funds for Administration and Training: Prohibited Supplantation of Funding for Administrative Costs</i>			<i>94.108 Prohibited Supplantation of Funding for Administrative Costs</i>	

SAA Use of Funds for Admin. and Trng., Prohib. Suppl. of Funding for Admin. Costs: Non-Supplantation Requirements	Sect. III(B) Admin. Cost Provision for State Grantees; IV(A)(2) Nonsuppl.	<p>Prohibits VOCA funds from being used to supplant state and local funds that would otherwise be available for crime victim services. This supplantation clause applies to state and local public agencies only.</p> <p>Grantees must certify that VOCA administrative funds will not be used to supplant state funds.</p> <p>State grantees will not be in violation of the non-supplantation clause if there is a decrease in the state’s previous financial commitment towards the administration of the VOCA grant programs due to specified circumstances.</p> <p><i>States are required to notify OVC if there is a decrease in the amount of its previous financial commitment to the cost of administering the VOCA program. Does not provide a definition for supplantation.</i></p>	94.108(a) Non-Supplant. Reqts.	<p><i>Change from the Guidelines. Provides a definition for supplantation as the deliberate reduction of State funds because of the availability of VOCA funds. While it is no longer mandatory for the SAA to notify OVC of a decrease in its previous financial commitment to administering the program, an explanation must be provided upon request by OVC.</i></p> <p>SAA’s may not use VOCA funding to supplant State administrative support for the State crime victim assistance program. Consistent with the DOJ Grants Financial Guide, such supplantation is the deliberate reduction of State funds because of the availability of VOCA funds.</p> <p>Where a State decreases its administrative support for the State crime victim assistance program, the SAA must submit, upon request from OVC, an explanation for the decrease.</p>
SAA Use of Funds for Admin. and Trng., Prohib. Suppl. of Funding for Admin. Costs: Baseline for	Sect. III(B) Admin. Cost Provision for State Grantees; IV(A)(2)	Prohibits VOCA funds from being used to supplant state and local funds that would otherwise be available for crime victim services. This supplantation clause applies	94.108(b) Baseline for Admin. Costs	<p><i>Requires SAA’s establish and document a baseline level of non-VOCA funding required to administer the State victim assistance program and to certify that they are not supplanting State administrative support for the State crime victim assistance program with VOCA funding.</i></p> <p>In each year in which an SAA uses VOCA funds for administration, it shall—</p>

Administrative Costs	Nonsuppl.	to state and local public agencies only. Grantees must certify that VOCA administrative funds will not be used to supplant state funds.		(1) Establish and document a baseline level of non-VOCA funding required to administer the State victim assistance program, based on SAA expenditures for administrative costs during that fiscal year and the previous fiscal year, prior to expending VOCA funds for administration; and (2) Submit the certification required by 42 U.S.C. 10604(h), which, as of July, 8, 2016, requires an SAA to certify here that VOCA funds will not be used to supplant State funds, but will be used to increase the amount of such funds that would, in the absence of VOCA funds, be made available for administrative purposes.
SAA Use of Funds for Administration and Training: Allowable Administrative Costs			94.109 Allowable Administrative Costs	
SAA Use of Funds for Admin. and Trng., Allowable Admin. Costs: Indirect Cost Rate	Sect. III(B) Admin. Cost Provision for State Grantees	State grantees are not required to match the portion of the grant that is used for administrative purposes. The state administrative agency may charge any federally approved indirect cost rate to the grant. However, any indirect costs requested must be paid from the 5 percent administrative funds. Administrative grant funds can only support that portion of a staff person's time devoted to the VOCA assistance program.	94.109(a)	Substantially the same. Funds for administration may be used only for costs directly associated with administering a State's victim assistance program. Where allowable administrative costs are allocable to both the crime victim assistance program and another State program, the VOCA grant may be charged no more than its proportionate share of such costs. SAAs may charge a federally-approved indirect cost rate to the VOCA grant, provided that the total amount charged does not exceed the amount prescribed by VOCA for training and administration.
SAA Use of Funds for Admin. and Trng., Allowable Admin. Costs: Salaries and Benefits	Sect. III(B)(a) Admin. Cost Provision for State Grantees	Pay salaries and benefits for staff and consultant fees to administer and manage the financial and programmatic aspects of VOCA.	94.109(b)(1) Salaries and Benefits	Substantially the same. Allows for VOCA funds to be used to pay salaries and benefits of SAA staff and consultants to administer and manage the program.

SAA Use of Funds for Admin. and Trng., Allowable Admin. Costs: Training of SAA Staff	Sect. III(B)(1)(b) Admin. Cost Provision for State Grantees	Attend OVC-sponsored and other relevant technical assistance meetings that address issues and concerns to state administration of victims' programs. Does not specifically mention travel and registration fees.	94.109(b)(2) Training of SAA staff	<i>Change from the Guidelines. Clarifies that travel, registration, and other fees are allowable expenses.</i> Allows for training of SAA staff, including, but not limited to, travel, registration fees, and other expenses associated with SAA staff attendance at technical assistance meetings and conferences relevant to the program as allowable administrative costs. Direct service provider manager training is allowed, but categorized as a training expense under section 94.110. (As discussed in the Preamble.)
SAA Use of Funds for Admin. and Trng., Allowable Admin. Costs: Monitoring Compliance	Sect. III(B)(1)(c) Monitor	Allows for monitoring VOCA Victim Assistance sub-recipients and potential sub-recipients, provide technical assistance, and/or evaluation and assessment of program activities.	94.109(b)(3) Monitoring Compliance	<i>Change from the Guidelines. Clarifies that travel, mileage, and other associated expenses are allowable.</i> Allows for monitoring compliance of VOCA sub-recipients with federal and State requirements, support for victims' rights compliance programs, provision of technical assistance, and evaluation and assessment of program activities, including, but not limited to, travel, mileage, and other associated expenses.
SAA Use of Funds for Admin. and Trng., Allowable Admin. Costs: Reporting	Sect. III(B) Admin. Cost Provision for State Grantees	Not included.	94.109(b)(4) Reporting	<i>Change from the Guidelines. Adds reporting and related activities as an allowable expense.</i> Allows for reporting and related activities necessary to meet federal and State requirements as an allowable administrative expense.
SAA Use of Funds for Admin. and Trng., Allowable Admin. Costs: Program Evaluation	Sect. III (B)(1)(c) Monitor	Allows for monitoring VOCA Victim Assistance sub-recipients and potential sub-recipients, provide technical assistance, and/or evaluation and assessment of program activities.	94.109(b)(5) Program Evaluation	<i>Change from the Guidelines. Clarifies examples of allowable program evaluation expenses, such as surveys.</i> Allows for program evaluation, including, but not limited to, surveys or studies that measure the effect or outcome of victim services as an allowable administrative expense.
SAA Use of Funds for Admin. and Trng., Allowable Admin. Costs: Program Audit Costs	Sect. III(B)(1)(g) Program Audit Costs	Allows for program audit costs.	94.109(b)(6) Program Audit Costs	Substantially the same. Allows for program audit costs and related activities necessary to meet federal audit requirements for the VOCA grant.
SAA Use of Funds for Admin. and	Sect. III (B)(1)(d)	Allows for the purchase of equipment, such as	94.109(b)(7) Techn.-	<i>Substantially the same. Updates the examples of allowable technology-related costs to include such things as GMS, social media platforms, victim notification</i>

Trng., Allowable Admin. Costs: Technology-Related Costs	Admin. Cost Provision for State Grantees	computers, software, fax machines, and copying machines.	Related Costs	<p><i>systems, and other automated systems.</i></p> <p>Expands the allowable expenses to permit technology-related costs, generally including for grant management systems, electronic communications systems and platforms (e.g., web pages and social media), geographic information systems, victim notification systems, and other automated systems, related equipment (e.g., computers, software, fax and copying machines, TTY/TTDs) and related technology support services necessary for administration of the program. (Note-direct service funding may also be used to support victim notification systems. As discussed in the Preamble.)</p>
SAA Use of Funds for Admin. and Trng., Allowable Admin. Costs: Memberships	Sect. III(B)(1)(f) Mbrships.	Allows the purchase of memberships in crime victims organizations and victim-related materials such as curricula, literature, and protocols.	94.109(b)(8) Mbrships.	<p><i>Change from the Guidelines. Adds memberships in “organizations that support the management and administration of victim assistance programs.”</i></p> <p>Allows for VOCA funds to be used to pay for memberships in crime victims’ organizations and organizations that support the management and administration of victim assistance programs, and publications and materials such as curricula, literature, and protocols relevant to the management and administration of the program.</p>
SAA Use of Funds for Admin. and Trng., Allowable Admin. Costs: Strategic Planning	Sect. III (B)(2)(a) Admin. Cost Provision for State Grantees	Allows for the development of strategic plans on a state and/or regional basis, conduct surveys and needs assessments, promote innovative approaches to serving crime victims such as through the use of technology.	94.109(b)(9) Strategic Planning	<p><i>Change from the Guidelines. Clarifies that the development of strategic plans includes both service and financial.</i></p> <p>Specifies that strategic planning, including but not limited to, the development of strategic plans, <i>both service and financial</i>, including conducting surveys and needs assessments, are allowable administrative expenses.</p>
SAA Use of Funds for Admin. and Trng., Allowable Admin. Costs: Coordination and Collaboration Efforts	Sect. III (B)(2)(b) and (B)(2)(e) Coord.	<p>Allows for the Improvement of coordination efforts on behalf of crime victims with other federally funded programs and with federal, state, and local agencies and organizations.</p> <p>Allows for the coordination and development of protocols, policies, and</p>	94.109 (b)(10) Coord. and Collab. Efforts	<p><i>Change from the Guidelines. Broadens the allowable expenses to include coordination and collaboration efforts.</i></p> <p><i>Coordination and collaboration efforts</i> among relevant federal, State, and local agencies and organizations to improve victim services.</p>

		procedures that promote systemic change in the ways crime victims are treated and served.		
SAA Use of Funds for Admin. and Trng., Allowable Admin. Costs: Publications	Sect. III (B)(2)(d) Pubs.	Allows for the purchase, print, and/or development of publications such as training manuals for service providers, victim services directories, and brochures.	94.109 (b)(11) Publications	Substantially the same. Publications, including, but not limited to, developing, purchasing, printing, distributing training materials, victim services directories, brochures, and other relevant publications are allowable expenses.
SAA Use of Funds for Admin. and Trng., Allowable Admin. Costs: General Program Improvements	Sect. III(B) Admin. Cost Provision for State Grantees	Not included.	94.109(12) General Program Imprvmnts.	<i>Change from the Guidelines. Adds "General program improvements" as an allowable expense.</i> Adds "General program improvements," enhancing overall SAA operations relating to the program and improving the delivery and quality of program services to crime victims throughout the State as allowable administrative costs.
SAA Use of Funds for Administration and Training: Allowable Training Costs			94.110 Allowable Training Costs	
SAA Use of Funds for Admin. and Trng., Allowable Trng. Costs: Allowable Training Costs	Sect. III(C) Use of Funds for Training	State grantees have the option of retaining a portion of their VOCA victim assistance grant for conducting statewide and/or regional trainings of victim services staff. <i>The maximum amount permitted for this purpose is one percent of the state's grant.</i> Each training activity must occur within the grant period, and all training costs must be obligated prior to the end of the grant period.	94.110 Allowable Training Costs	<i>Change from the Guidelines. Removes the 1% cap and match language.</i> VOCA funds may be used only for training activities that occur within the award period, and all funds for training must be obligated prior to the end of such period. Allowable training costs generally include, but are not limited to, the following: (a) Statewide/regional training of personnel providing direct assistance and allied professionals, including VOCA funded and non-VOCA funded personnel, as well as managers and Board members of victim service agencies; and (b) Training academies for victim assistance.

		<i>The VOCA funds used for training by the state grantee must be matched at 20 percent of the total project cost, cash or in-kind, and the source of the match must be described.</i>		
SAA Use of Funds for Admin. and Trng., Allowable Trng. Costs: Statewide/ Regional Training	Sect.III (B)(2)(c); III(B)(2)(f) Admin. Cost Provision for State Grantees; III(C) Use of Funds for Training	Provide training on crime victim issues to state, public, and nonprofit organizations that serve or assist crime victims such as law enforcement officials, prosecutors, judges, corrections personnel, social service workers, child and youth service providers, aging and adult protective service providers, and mental health and medical professionals. Train managers of victim service agencies.	94.110(a) Statewide/ Regional Training	Clarifies that allowable training expenses include State-wide/regional training of personnel providing direct assistance and allied professionals, including VOCA funded and non-VOCA funded personnel, as well as managers and Board members of victim service agencies.
SAA Use of Funds for Admin. and Trng., Allowable Trng. Costs: Training Academies	Sect. III(C) Use of Funds for Training	Not included.	94.110(b) Training Academies	<i>Change from the Guidelines. Adds training academies as an allowable training expense.</i>
<i>Sub-Recipient Program Requirements</i>				
<i>Sub-Recipient Program Requirements: Eligible Crime Victim Assistance Programs</i>			<i>94.111 Eligible Crime Victim Assistance Programs</i>	
Sub-Rec. Program Rqts.: Eligible Crime	Sect. IV(A) (1); IV(B)(1); and	Sub-recipients must abide by state criteria.	94.111 Eligible Crime Victim	Substantially the same as the Guidelines. SAAs may award VOCA funds only to crime victim assistance programs that

Victim Assistance Programs	IV(B)(10) Program Reqts.	<p>States should ensure that only eligible organizations receive VOCA funds, and that these funds are used only for services to victims of crime, except those funds that the state grantee uses for training victim service providers and/or administrative purposes, as authorized by Section 1404(b) codified at 42 U.S.C. 10603(b). Organizations must be operated by public or nonprofit organization, or a combination of such organizations, and provide services to crime victims.</p> <p>Sub-recipients must abide by any additional eligibility or service criteria as established by the state grantee including submitting statistical and programmatic information on the use and impact of VOCA funds, as requested by the grantee.</p>	Assistance Programs	meet the requirements of VOCA, at 42 U.S.C. 10603(b)(1), and this subpart. Each such program shall abide by any additional criteria or reporting requirements established by the SAA.
<i>Sub-Recipient Program Requirements: Types of Eligible Organizations and Organizational Capacity</i>			<i>94.112 Types of Eligible Organizations and Organizational Capacity</i>	
Sub-Rec. Prog. Rqts., Types of Eligible Organizations and Organiz. Capacity: Eligible Programs	Sect. IV(C) Eligible Sub- recip. Organ.; IV(C)(1) Criminal Justice	Includes victim services organizations whose sole purpose is to serve crime victims and also other public and nonprofit organizations that have components which offer services to crime victims.	94.112(a) Eligible Programs	<p>Substantially the same. Clarifies that eligible programs are not limited to entities whose sole purpose is to provide direct services.</p> <p>Eligible programs are not limited to entities whose sole purpose is to provide direct services. Provides special considerations for certain types of entities in the following sections.</p>

	Agencies	<p>VOCA specifies that an organization must provide services to crime victims and be operated by a public agency or nonprofit organization, or a combination of such agencies or organizations in order to be eligible to receive VOCA funding. Eligible organizations include victim services organizations whose sole mission is to provide services to crime victims. In addition to victim services organizations, whose sole purpose is to serve crime victims, there are many other public and nonprofit organizations that have components which offer services to crime victims. These organizations are eligible to receive VOCA funds, if the funds are used to expand or enhance the delivery of crime victims' services.</p> <p>Lists criminal justice agencies as an eligible organization and lists specific services that may be included.</p>		
Sub-Rec. Prog. Rqts., Types of Eligible Organizations and Organiz. Capacity:	Sect. IV(C)(1) Criminal Justice Agencies	Lists criminal justice agencies as an eligible organization and lists specific services that may be included.	94.112(a) Eligible Programs	<i>Change from the Guidelines. Does not specifically list criminal justice agencies. This does not mean it is a prohibited entity if it meets the requirements (i.e., if the organization's sole purpose is to provide direct services).</i>

Criminal Justice Agencies				
Sub-Rec. Prog. Rqts., Types of Eligible Organizations and Organiz. Capacity: Hospitals and Emergency Medical Facilities	Sect. IV(C)(4) Hospitals and Emergency Medical Facilities	Allows for hospitals and emergency medical facilities and sets forth specific criteria for eligibility.	94.112(a) Eligible Programs	<i>Change from the Guidelines. Does not specifically list hospitals and emergency medical facilities as an eligible organization. This does not mean it is a prohibited entity if it meets the requirements (i.e., if the organization's sole purpose is to provide direct services).</i>
Sub-Rec. Prog. Rqts., Types of Eligible Organizations and Organiz. Capacity: Faith-Based and Neighborhood Programs	Sect. IV(C)(2) Religiously-Affiliated Organiz.	Uses the term "Religiously-Affiliated Organizations" Such organizations receiving VOCA funds must ensure that services are offered to all crime victims without regard to religious affiliation and that the receipt of services is not contingent upon participation in a religious activity or event.	94.112(a)(1) Faith-Based and Neighbor. Programs	<i>Change from the Guidelines, but substantially the same. Uses the term "Faith-based and neighborhood programs" instead of "Religiously-Affiliated Organizations." Does not specifically discuss religious affiliation, but requires compliance with federal law and part 38 of this chapter.</i> SAAs may award VOCA funds to otherwise eligible faith-based and neighborhood programs, but in making such awards, SAAs shall ensure that such programs comply with all applicable federal law, including, but not limited to, part 38 of this chapter.
Sub-Rec. Prog. Rqts., Types of Eligible Organizations and Organiz. Capacity: Crime Victims Compensation Programs	Sect. IV(C)(3) State Crime Victim Comp. Agencies	Allows for State Crime Victim Compensation Agencies if they offer direct services to crime victims that extend beyond the essential duties of compensation staff such as claims investigations, distribution of information about compensation and referral to other sources of public and private assistance. Such services would include assisting victims in identifying and accessing needed services and resources.	94.112(a)(2) Crime Victim Comp. Programs	<i>Change from the Guidelines, but substantially the same. Expands the examples of the type of services that can be provided to include, but are not limited to, crisis intervention; counseling; and providing information, referrals, and follow-up for crime victims.</i> SAAs may provide VOCA victim assistance funding to compensation programs only for the purpose of providing direct services that extend beyond the essential duties of the staff administering the compensation program, which services may include, but are not limited to, crisis intervention; counseling; and providing information, referrals, and follow-up for crime victims.

<p>Sub-Rec. Prog. Rqts., Types of Eligible Organizations and Organiz. Capacity: Victim Service Organizations</p>	<p>Sect. II(D) Allocation of Funds Within the State</p>	<p>Allows for awards to organizations that are located in an adjacent State when it is an efficient and cost-effective mechanism available. When such awards are made, the amount of award must be proportional to the number of victims to be served by the adjacent-state organization.</p> <p>OVC recommends that grantees enter into an interstate agreement with the adjacent state to address monitoring of the VOCA Sub-recipient, auditing federal funds, managing noncompliance issues, and reporting requirements. States must notify OVC of each VOCA award made to an organization in another state.</p>	<p>94.112(a)(3) Victim Service Organiz.</p>	<p><i>Change from the Guidelines, but substantially the same. Removes the language encouraging an interstate agreement and removes the requirement to notify OVC of such use of funds.</i></p> <p>SAA's may award VOCA funds to otherwise eligible programs that are physically located in an adjacent State, but in making such awards, the SAA shall provide notice of such award to the SAA of the adjacent State, and coordinate, as appropriate, to ensure effective provision of services, monitoring, auditing of federal funds, compliance, and reporting.</p>
<p>Sub-Rec. Prog. Rqts., Types of Eligible Organizations and Organiz. Capacity: Direct-Service Programs Run by the SAAs</p>	<p>Sect. IV(C)(5) Eligible Sub-recipient, Organiz., Others</p>	<p>State grantees can be an eligible organization, but limited to 10% cap of VOCA funds.</p> <p>State and local public agencies such as mental health service organizations, state/local public child and adult protective services, state grantees, legal services agencies and programs with a demonstrated history of advocacy on behalf of</p>	<p>94.112(a)(4) Direct Service Programs Run by the SAA</p>	<p>Substantially the same. Allows for direct service programs run by the SAA. See sect. 94.104(f), which permits an SAA to use no more than ten percent of its annual VOCA grant to fund its own direct service projects, unless the Director grants a waiver.</p> <p>SAA's may fund their own direct services programs, but, under § 94.104(f), may allocate no more than ten percent of the VOCA grant to such programs, and each such program shall adhere to the allowable/unallowable cost rules for sub-recipient projects set out in this subpart at §§ 94.119 through 94.122.</p>

		domestic violence victims, and public housing authorities that have components specifically trained to serve crime victims. Since the intention of the VOCA grant program is to support and enhance the crime victim services provided by community agencies, state grantees that meet the definition of an eligible sub-recipient organization may not subaward themselves more than 10 percent of their annual VOCA award.		
<i>Sub-Recipient Program Requirements: Organizational Capacity of the Program</i>			<i>94.112(b) Organizational Capacity of the Program</i>	<i>For purposes of VOCA, at 42 U.S.C. 10603(b)(1)(B): Eligibility of Program; Factors; Limitation on Expending of Sums, the following shall apply.</i>
Sub-Rec. Prog. Rqts., Organiz. Capacity of the Program: Record of Effective Services	Sect. IV(B)(2) Record of Effective Services	Requires the organization demonstrate a record of providing effective services to crime victims. This includes having the support and approval of its services by the community, a history of providing direct services in a cost-effective manner, and financial support from other sources.	94.112(b)(1) Record of Effective Services	<p>Substantially the same. With regard to determining the organizational capacity of a sub-recipient, the SAA determines what constitutes “a record of effective services to victims of crime,” and this may vary depending on the State, and community served, and the entity providing services.</p> <p>Leaves unchanged the non-exclusive list of considerations that SAAs may take into account when making this determination. SAAs may also consider additional factors, such as the type of victim the entity’s services address, the type of services provided, best practices within that service field, and the characteristics of the entity (e.g., small, specialized service provider; larger, comprehensive service provider). As discussed in the Preamble.</p> <p>Text: A program has demonstrated a record of effective direct services and support from sources other than the Crime Victims Fund when, for example, it demonstrates the support and approval of its direct services by the community, its history of providing direct services in a cost-effective manner, and the breadth or depth of its financial support from sources other than the Crime Victims Fund.</p>

<p>Sub-Rec. Prog. Rqts., Organiz. Capacity of the Program: Substantial Financial Support From Sources Other Than the Crime Victims Fund</p>	<p>Sect. IV(B)(3) Sub-rec. Organiz. Eligibility Rqts., New Programs</p>	<p>Those programs that have not yet demonstrated a record of providing services may be eligible to receive VOCA funding, if they can demonstrate that 25-50 percent of their financial support comes from non-federal sources. It is important that organizations have a variety of funding sources besides federal funding in order to ensure their financial stability.</p> <p><i>States are responsible for establishing the base level of non-federal support required within the 25-50 percent range.</i></p>	<p>94.112(b)(2) Substantial Financial Support From Sources Other Than the Crime Victims Fund</p>	<p><i>Change from the Guidelines. Sets forth criteria to establish a program has substantial financial support from sources other than the CVF. The amount is not set by the State, but requires that at least twenty-five percent of the program's funding in the year of, or the year preceding the award, comes from other sources.</i></p> <p>Text: A program has substantial financial support from sources other than the Crime Victims Fund when at least twenty-five percent of the program's funding in the year of, or the year preceding the award, comes from such sources, which may include other federal funding programs. If the funding is non-federal (or meets the DOJ Grants Financial Guide exceptions for using federal funding for match), then a program may count the used funding to demonstrate non-VOCA substantial financial support toward its project match requirement.</p>
<p>Sub-Recipient Program Requirements: Use of Volunteers, Community Efforts, Compensation Assistance</p>		<p>94.113 Use of Volunteers, Community Efforts, Compensation Assistance</p>		
<p>Sub-Rec. Prog. Rqts., Use of Vol., Comm. Efforts, Comp. Assistance: Mandated Use of Volunteers; Waiver; Mandated Use of Volunteers</p>	<p>Sect. IV(B)(5) Volunteers</p>	<p>Requires sub-recipients to use volunteers unless the State grantee determines there is a "compelling reason" to waive the requirement.</p>	<p>94.113(a) Mandated Use of Volunteers; 94.113(b) Waiver of Use of Volunteers</p>	<p><i>Change from the Guidelines. Removes the "compelling reason" language for a waiver. The SAA determines if a waiver should be granted. The mandated use of volunteers provision applies as an eligibility requirement for sub-recipient organizations (programs), not as a requirement for individual projects.</i></p> <p>Programs shall use volunteers, to the extent required by the SAA, in order to be eligible for VOCA funds. The chief executive of the State, who may act through the SAA, may waive this requirement, provided that the program submits written documentation of its efforts to recruit and maintain volunteers, or otherwise demonstrate why circumstances prohibit the use of volunteers, to the satisfaction of the chief executive.</p> <p>SAA's shall maintain documentation supporting any waiver granted under VOCA, at 42 U.S.C. 10603(b)(1)(C), relating to the use of volunteers by</p>

				programs.
Sub-Rec. Prog. Rqts., Use of Vol., Comm. Efforts, Comp. Assistance: Promotion of Community Efforts to Aid Crime Victims	Sect. IV(B)(6) Promote Comm. Efforts to Aid Crime Victims	<p>Promote, within the community, coordinated public and private efforts to aid crime victims.</p> <p>Coordination may include, but is not limited to, serving on state, federal, local, or Native American task forces, commissions, working groups, coalitions, and/or multidisciplinary teams. Coordination efforts also include developing written agreements that contribute to better and more comprehensive services to crime victims.</p> <p><i>Coordination efforts qualify an organization to receive VOCA victim assistance funds, but are not activities that can be supported with VOCA funds.</i></p>	94.113(c) Promotion of Community Efforts to Aid Crime Victims	<p>Substantially the same. Removed the language regarding “coordination efforts” qualify an organization to receive VOCA funds, but cannot be paid with VOCA funds.</p> <p>Community served coordinated public and private efforts to aid crime victims may include, but are not limited to, serving on federal, State, local, or tribal work groups to oversee and recommend improvements to community responses to crime victims, and developing written agreements and protocols for such responses.</p>
Sub-Rec. Prog. Rqts., Use of Vol., Comm. Efforts, Comp. Assistance: Assistance to Victims in Applying for Compensation	Sect. IV(B)(7) Help Victims Apply for Comp. Benefits	Requires sub-recipients assist victims with applying for compensation benefits. Such assistance may include identifying and notifying crime victims of the availability of compensation, assisting them with application forms and procedures, obtaining necessary documentation, and/or checking on claim status.	94.113(d) Assistance to Victims in Applying for Comp.	<p>Substantially the same. Broadens the language describing the type of assistance that can be provided in assisting victims with applying for compensation benefits. Added intervening on behalf of such potential recipients with the crime victims’ compensation program. Clarifies that a sub-recipient may comply with the VOCA requirement to assist victims in applying for compensation by providing referrals.</p> <p>Provides that assistance to potential recipients of crime victim compensation benefits (including potential recipients who are victims of federal crime) in applying for such benefits may include, but are not limited to, referring such potential recipients to an organization that can so assist, identifying crime victims and advising them of the availability of such benefits, assisting such potential recipients with application forms and procedures, obtaining</p>

				necessary documentation, monitoring claim status, and intervening on behalf of such potential recipients with the crime victims' compensation program.
Sub-Recipient Program Requirements: Prohibited Discrimination			94.114 Prohibited Discrimination	
Sub-Rec. Prog. Rqts.: Prohibited Discrimination	Sect. (IV)(A)(9) Civil Rights	Prohibits discrimination based on the grounds of race, color, religion, national origin, sex, age, or disability. Maintain statutorily required civil rights statistics on victims served by race, national origin, sex, age, and disability, within the timetable established by the state grantee.	94.114(a); 94.114(b)	<p><i>Change from the Guidelines. Expands the requirement for non-discrimination to include compliance with such guidance as may be issued from time to time by the Office for Civil Rights within the Office of Justice Programs. Requires compliance with 28 CFR part 42.</i></p> <p>Text: (a) The VOCA non-discrimination provisions specified at 42 U.S.C. 10604(e) shall be implemented in accordance with 28 CFR part 42. (b) In complying with VOCA, at 42 U.S.C. 10604(e), as implemented by 28 CFR part 42, SAAs and sub-recipients shall comply with such guidance as may be issued from time to time by the Office for Civil Rights within the Office of Justice Programs.</p>
Sub-Recipient Program Requirements: Non-Disclosure of Confidential or Private Information			94.115 Non-Disclosure of Confidential or Private Information	
Sub-Rec. Prog. Rqts.: Non-Disclosure of Confidential or Private Information	Sect. IV(B)(13) Client-Counselor and Research Inform. Confid.; IV(B)(14) Confid. of Research Inform.	Not included; only sets forth confidentiality requirements for client-counselor and research or statistical information.	94.115(a) – (e) Non-Disclosure of Confidential or Private Information	<p><i>Change from the Guidelines. Establishes confidentiality and privacy requirements to protect persons receiving services.</i></p> <p>Requires SAAs and sub-recipients to reasonably protect the confidentiality and privacy of persons receiving services under this program and prohibits the release of personally identifying information or client information except in certain circumstances.</p> <p>Allows for information sharing of certain non-identifying data and court-generated information, law-enforcement generated information, and law enforcement- and prosecution- generated information in certain circumstances.</p> <p>Nothing in this section prohibits compliance with legally mandated reporting of abuse or neglect.</p>

				See sect. 94.115 for specific text and requirements.
Sub-Recipient Project Requirements				
Sub-Recipient Project Requirements: Purpose of VOCA-Funded Projects			94.116 Purpose of VOCA-Funded Projects	
Sub-Recipient Project Requirements: Purpose of VOCA-Funded Projects	Sect. IV(B) Sub-recipient Organizational Eligibility Reqs.; IV(B)(11) Services to Victims of Federal Crimes	VOCA establishes eligibility criteria that must be met by all organizations that receive VOCA funds. These funds are to be awarded to sub-recipients only for providing services to victims of crime through their staff. Requires sub-recipients provide services to victims of federal crimes on the same basis as victims of state/local crimes.	94.116 Purpose of VOCA-Funded Projects	<p><i>Change from the Guidelines. Adds that sub-recipients may provide direct services regardless of a victim's participation in the criminal justice system.</i></p> <p><i>Sets forth OVC's policy clarification that victim eligibility for direct services is not dependent on the victim's immigration status. (As discussed in the Preamble.)</i></p> <p>Text: VOCA funds shall be available to sub-recipients only to provide direct services and supporting and administrative activities as set out in this subpart. SAAs shall ensure that VOCA sub-recipients obligate and expend funds in accordance with VOCA and this subpart. Sub-recipients must provide services to victims of federal crimes on the same basis as to victims of crimes under State or local law. Sub-recipients may provide direct services regardless of a victim's participation in the criminal justice process. Victim eligibility under this program for direct services is not dependent on the victim's immigration status.</p>
Sub-Recipient Project Requirements: Cost of Services; Sub-Recipient Program Income			94.117 Cost of Services; Sub-Recipient Program Income	
Sub-Rec. Proj. Rqts.: Cost of Services; Sub-Recipient Program Income	Sect. IV(B)(12) No charge to Victims for VOCA-Funded Services	Requires sub-recipients to provide services to crime victims at no charge. Any deviation requires prior approval by the state grantee.	94.117(a) Cost of Services; 94.117(b) Consid. for a Waiver	<p>Substantially the same. Maintains the requirement to provide services at no charge unless provided a waiver by the SAA.</p> <p>Text: (a) <i>Cost of services.</i> Sub-recipients shall provide VOCA-funded direct services at no charge, unless the SAA grants a waiver allowing the sub-recipient to generate program income by charging for services. Program income, where allowed, shall be subject to federal grant rules and the requirements of the DOJ Grants Financial Guide, which, as of July, 8, 2016, require in most cases that any program income be restricted to the same uses as the sub-award funds and expended during the grant period in which it is generated.</p>

				(b) <i>Considerations for waiver.</i> In determining whether to grant a waiver under this section, the SAA should consider whether charging victims for services is consistent with the project’s victim assistance objectives and whether the sub-recipient is capable of effectively tracking program income in accordance with financial accounting requirements.
Sub-Recipient Project Requirements: Project Match Requirements			94.118 Project Match Requirements	
Sub-Rec. Proj. Rqts.: Project Match Requirements	Sect. IV(B)(4) Program Match Rqts.	<p><i>Requires a 20% program match; provides an exception for the U.S. territories (not including Puerto Rico); provides for a 5% match requirement for Native American tribes/organizations located on reservations.</i></p> <p>Provides for OVC to grant a waiver in certain circumstances.</p>	94.118(a) – (f) Project Match Rqts.	<p><i>Change from the Guidelines. Adds an exception to the match requirement for sub-recipients that are (1) federally recognized American Indian or Alaska Native tribes, or projects that operate on tribal lands; and (2) U.S. territories or possessions (except for Puerto Rico). Maintains the existing project match rules, requiring that sub-recipients provide a 20% project match, for all other sub-recipients. Provides for OVC to grant a waiver in certain circumstances. OVC does note that non-cash contributions-for example, professional services-may be counted as match. (As discussed in the Preamble.)</i></p> <p>Text:</p> <p>(a) <i>Project match amount.</i> Sub-recipients shall contribute (<i>i.e.</i>, match) not less than twenty percent (cash or in-kind) of the total cost of each project, except as provided in paragraph (b) of this section.</p> <p>(b) <i>Exceptions to project match requirement.</i> The following are not subject to the requirement set forth in paragraph (a) of this section:</p> <p>(1) Sub-recipients that are federally-recognized American Indian or Alaska Native tribes, or projects that operate on tribal lands;</p> <p>(2) Sub-recipients that are territories or possessions of the United States (except for the Commonwealth of Puerto Rico), or projects that operate therein; and</p> <p>(3) Sub-recipients other than those described in paragraphs (b)(1) and (2) of this section, that have applied (through their SAAs) for, and been granted, a full or partial waiver from the Director. Waiver requests must be supported by the SAA and justified in writing. Waivers are entirely at the Director’s discretion, but the Director typically considers factors such as local resources, annual budget changes, past ability to provide match, and whether the funding is for new or additional activities requiring additional match versus continuing activities where match is already provided.</p> <p>(c) <i>Sources of project match.</i> Contributions under paragraph (a) of this</p>

			<p>section shall be derived from non-federal sources, except as may be provided in the DOJ Grants Financial Guide, and may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> (1) <i>Cash</i>; i.e., the value of direct funding for the project; (2) <i>Volunteered professional or personal services</i>, the value placed on which shall be consistent with the rate of compensation (which may include fringe benefits) paid for similar work in the program, but if the similar work is not performed in the program, the rate of compensation shall be consistent with the rate found in the labor market in which the program competes; (3) <i>Materials/Equipment</i>, but the value placed on lent or donated equipment shall not exceed its fair market value; (4) <i>Space and facilities</i>, the value placed on which shall not exceed the fair rental value of comparable space and facilities as established by an independent appraisal of comparable space and facilities in a privately-owned building in the same locality; and (5) <i>Non-VOCA funded victim assistance activities</i>, including but not limited to, performing direct service, coordinating, or supervising those services, training victim assistance providers, or advocating for victims. <p>(d) <i>Discounts</i>. Any reduction or discount provided to the sub-recipient shall be valued as the difference between what the sub-recipient paid and what the provider's nominal or fair market value is for the good or service.</p> <p>(e) <i>Use of project match</i>. Contributions under paragraph (a) of this section are restricted to the same uses, and timing deadlines for obligation and expenditure, as the project's VOCA funding.</p> <p>(f) <i>Recordkeeping for project match</i>. Each sub-recipient shall maintain records that clearly show the source and amount of the contributions under paragraph (a) of this section, and period of time for which such contributions were allocated. The basis for determining the value of personal services, materials, equipment, and space and facilities shall be documented. Volunteer services shall be substantiated by the same methods used by the sub-recipient for its paid employees (generally, this should include timesheets substantiating time worked on the project).</p>
Sub-Recipient Allowable/Unallowable Costs			94.119 Allowable Direct Service Costs
Sub-Recipient Allowable/Unallowable Costs: Allowable Direct Service Costs			

<p>Sub. Rec. Allowable/ Unallowable Costs, Allowable Direct Service Costs</p>	<p>Sect. IV(E) Services, Activities, and Costs at the Sub-rec. Level; IV(E)(3)(b)</p>	<p>Prohibits assistance for incarcerated victims. Prohibits indirect organizational costs at the sub-recipient level.</p>	<p>94.119 Allowable Direct Service Costs</p>	<p><i>Change from the Guidelines. Allows services for incarcerated victims. But, most of these allowable costs (and the parameters under which the direct services may be provided) are essentially the same as those in the Guidelines. See the Preamble for additional guidance.</i></p> <p><i>Removes the prohibition on perpetrator rehabilitation and counseling. The rule does not require that services to incarcerated victims must be provided, or how such services should be provided, but merely removes the express prohibition on such services that existed in the Guidelines.</i></p> <p>States and VOCA funded sub-recipients may set eligibility criteria for their victim service projects, and thereby determine, in accordance with VOCA-funded projects and this rule, whether and how such victims might be served by VOCA-funded projects.</p> <p>The costs permitted for direct services to incarcerated victims are the same as those permitted for such services to any crime victim.</p> <p>Nothing in VOCA, or this final rule, allows VOCA funding to be diverted to “prison purposes;” rather, VOCA funding is expressly limited by statute to victim services and associated activities. VOCA funding is not subject to mandated reduction or reallocation for non-compliance under PREA. (As discussed in the Preamble.)</p>
<p>Sub. Rec. Allowable/ Unallowable Costs, Allowable Direct Service Costs: Immediate Emotional, Psychological, and Physical Health and Safety</p>	<p>Sect. IV(E)(1)(a) Immediate Health and Safety</p>	<p>Those services which respond to the immediate emotional and physical needs (excluding medical care) of crime victims such as crisis intervention; accompaniment to hospitals for medical examinations; hotline counseling; emergency food, clothing, transportation, and shelter (including emergency, short-term nursing home shelter for elder abuse victims for whom no other safe, short-term residence is available); and</p>	<p>94.119(a) Immediate Emotional, Psych., and Physical Health and Safety</p>	<p><i>Change from the Guidelines. Adds safety planning as an allowable expense. Adds short-term (up to 45 days) in-home care and supervision services for children and adults who remain in their own homes when the offender/ caregiver is removed.</i></p> <p><i>Clarifies that the time limit for short-term nursing-home, adult foster care, or group-home placement for adults whom no other safe, short-term residence is available, is for up to 45 days.</i></p> <p><i>Clarifies that service providers may pay certain emergency costs for medical and health care when other resources are not expected to be available in time to meet emergency victim needs.</i></p> <p><i>Adds as allowable costs the following, on an emergency basis (i.e., when the State’s compensation program, the victim’s (or in the case of a minor child, the</i></p>

		<p>other emergency services that are intended to restore the victim's sense of security. This includes services which offer an immediate measure of safety to crime victims such as boarding-up broken windows and replacing or repairing locks.</p> <p>Also allowable is emergency legal assistance such as filing restraining orders and obtaining emergency custody/visitation rights when such actions are directly connected to family violence cases and are taken to ensure the health and safety of the victim.</p>		<p><i>victim's parent's or guardian's) health insurance plan, Medicaid, or other health care funding source, is not reasonably expected to be available quickly enough to meet the emergency needs of a victim (typically within 48 hours of the crime)): non-prescription and prescription medicine, prophylactic or other treatment to prevent HIV/AIDS infection or other infectious disease, durable medical equipment (such as wheel-chairs, crutches, hearing aids, eyeglasses), and other healthcare items are allowed.</i></p> <p>Text: Services that respond to immediate needs (other than medical care, except as allowed under paragraph (a)(9) of this section) of crime victims, including, but not limited to—</p> <ol style="list-style-type: none"> (1) Crisis intervention services; (2) Accompanying victims to hospitals for medical examinations; (3) Hotline counseling; (4) Safety planning; (5) Emergency food, shelter, clothing, and transportation; (6) Short-term (up to 45 days) in-home care and supervision services for children and adults who remain in their own homes when the offender/caregiver is removed; (7) Short-term (up to 45 days) nursing-home, adult foster care, or group-home placement for adults for whom no other safe, short-term residence is available; (8) Window, door, or lock replacement or repair, and other repairs necessary to ensure a victim's safety; (9) Costs of the following, on an emergency basis (i.e., when the State's compensation program, the victim's (or in the case of a minor child, the victim's parent's or guardian's) health insurance plan, Medicaid, or other health care funding source, is not reasonably expected to be available quickly enough to meet the emergency needs of a victim (typically within 48 hours of the crime): non-prescription and prescription medicine, prophylactic or other treatment to prevent HIV/AIDS infection or other infectious disease, durable medical equipment (such as wheel-chairs, crutches, hearing aids, eyeglasses), and other healthcare items are allowed; and (10) Emergency legal assistance, such as for filing for restraining or protective orders, and obtaining emergency custody orders and visitation rights.
Sub. Rec. Allowable/ Unallowable	Sect. IV(E)(1)(f) Special	Allows for services to assist crime victims with managing practical problems created by	94.119(b) Personal Advocacy	<i>Change from the Guidelines. Broadens the list of examples of available services.</i>

Costs, Allowable Direct Service Costs: Personal Advocacy and Emotional Support	Services	the victimization such as acting on behalf of the victim with other service providers, creditors, or employers.	and Emotional Support	Allows for personal advocacy and emotional support, including, but not limited to: Working with a victim to assess the impact of the crime; Identification of victim's needs; Case management; Management of practical problems created by the victimization; Identification of resources available to the victim; Provision of information, referrals, advocacy, and follow-up contact for continued services, as needed; and Traditional, cultural, and/or alternative therapy/healing (e.g., art therapy, yoga).
Sub. Rec. Allowable/ Unallowable Costs, Allowable Direct Service Costs: Mental Health Counseling and Care	Sect. IV(D)(2) Inelig. Rec. of VOCA Funds, In-Patient Treatment Facilities; IV(E)(1)(b) Mental Health Asst.; IV(E)(3)(h) Most Medical Costs	Allows for mental health assistance, which is those services and activities that assist the primary and secondary victims of crime in understanding the dynamics of victimization and in stabilizing their lives after a victimization such as counseling, group treatment, and therapy. Substance-abuse treatment not included. Prohibits in-patient treatment costs.	94.119(c) Mental Health Counseling and Care	<i>Change from the Guidelines. Lists substance abuse treatment as a specific allowable expense.</i> Allows for mental health counseling and care, including, but not limited to, out-patient therapy/counseling (including, but not limited to, substance-abuse treatment so long as the treatment is directly related to the victimization) provided by a person who meets professional standards to provide these services in the jurisdiction in which care is administered.
Sub. Rec. Allowable/ Unallowable Costs, Allowable Direct Service Costs: Peer-Support	Sect. IV(E) Services, Activities, and Costs at the Sub-rec. Level	Not included.	94.119(d) Peer-Support	<i>Change from the Guidelines. Adds peer support as a specific allowable direct service costs.</i> Allows for peer-support, including, but not limited to, activities that provide opportunities for victims to meet other victims, share experiences, and provide self-help, information, and emotional support.
Sub. Rec. Allowable/ Unallowable Costs, Allowable Direct Service Costs: Facilitation of Participation in Criminal	Sect. IV(E)(1)(c) Assistance With Partic. in Criminal Justice Procds.; IV(E)(1)(f)	Allows costs associated with helping victims participate in the criminal justice system. Such costs include advocacy on behalf of crime victims; accompaniment to criminal justice offices and court; transportation to court; child	94.119(e) Facilitation of Partic. in Criminal Justice and Other Public Proceedings Arising From	<i>Change from the Guidelines. Expands the authority to allow service providers to facilitate victim participation in any public proceedings arising from the crime (e.g., juvenile justice hearings; probation, parole, pardon proceedings; grievance procedures; and sexual predator civil commitment proceedings), not merely criminal justice proceedings.</i> Text: The provision of services and payment of costs that help victims participate in the criminal justice system and in other public proceedings

Justice and Other Public Sub. Rec. Allowable/ Unallowable Costs, Allowable Direct Service Costs: Proceedings Arising From the Crime	Special Services	care or respite care to enable a victim to attend court; notification of victims regarding trial dates, case disposition information, and parole consideration procedures; and assistance with victim impact statements.	the Crime	<p>arising from the crime (e.g., juvenile justice hearings, civil commitment proceedings), including, but not limited to—</p> <ol style="list-style-type: none"> (1) Advocacy on behalf of a victim; (2) Accompanying a victim to offices and court; (3) Transportation, meals, and lodging to allow a victim who is not a witness to participate in a proceeding; (4) Interpreting for a non-witness victim who is deaf or hard of hearing, or with limited English proficiency; (5) Providing child care and respite care to enable a victim who is a caregiver to attend activities related to the proceeding; (6) Notification to victims regarding key proceeding dates (e.g., trial dates, case disposition, incarceration, and parole hearings); (7) Assistance with Victim Impact Statements; (8) Assistance in recovering property that was retained as evidence; and (9) Assistance with restitution advocacy on behalf of crime victims.
Sub. Rec. Allowable/ Unallowable Costs, Allowable Direct Service Costs: Legal Assistance	Sect. IV(E)(1)(a) Imm. Health and Safety; IV(E)(1)(c) Assistance With Partic. in Criminal Justice Procds.	<p>Allows for emergency legal assistance such as filing restraining orders and obtaining emergency custody/visitation rights to ensure the health and safety of the victim.</p> <p><i>Prohibits the use of VOCA funds for non-emergency legal representation such as for divorce or civil restitution recovery efforts.</i></p>	94.119(f) Legal Assistance	<p><i>Change from the Guidelines. Allows for legal assistance services on non-emergency and emergency basis where reasonable and where the need for such services arises as a direct result of the victimization. Broadly drafted to include legal assistance with victim-related family law matters and other non-tort legal services in a civil context. Such non-tort, civil legal services include, but are not limited to, assistance in divorce, and child custody and support proceedings. Prohibits those costs for criminal defense and tort lawsuits. (As discussed in the Preamble.)</i></p> <p>Examples (not meant to be a comprehensive listing) of some circumstances where civil legal services may be appropriate: Proceedings for protective/restraining orders or campus administrative protection/stay-away orders; family, custody, housing, and dependency matters, particularly for victims of intimate partner violence, child abuse, sexual assault, elder abuse, and human trafficking; immigration assistance for victims of human trafficking, sexual assault, and domestic violence; intervention with creditors, law enforcement (e.g., to obtain police reports), and other entities on behalf of victims of identity theft and financial fraud; intervention with administrative agencies, schools/colleges, tribal entities, and other circumstances where legal advice or intervention would assist in addressing the consequences of a person’s victimization. VOCA funds may also be used to allow victims to file a motion to vacate and/or expunge certain convictions based on their status of being a victims.</p>

				<p>States retain broad discretion to set limits on the type and scope of legal services that it allows its sub-recipients to provide with VOCA funding.</p> <p>See 94.119(a)(10) for allowable emergency legal assistance.</p> <p>Text: Legal assistance services (including, but not limited to, those provided on an emergency basis), where reasonable and where the need for such services arises as a direct result of the victimization. Such services include, but are not limited to—</p> <p>(1) Those (other than criminal defense) that help victims assert their rights as victims in a criminal proceeding directly related to the victimization, or otherwise protect their safety, privacy, or other interests as victims in such a proceeding;</p> <p>(2) Motions to vacate or expunge a conviction, or similar actions, where the jurisdiction permits such a legal action based on a person’s being a crime victim; and</p> <p>(3) Those actions (other than tort actions) that, in the civil context, are reasonably necessary as a direct result of the victimization.</p>
Sub. Rec. Allowable/ Unallowable Costs, Allowable Direct Service Costs: Forensic Medical Evidence Collection Examinations	Sect. IV(E)(1)(d) Forensic Exams.; IV(E)(3)(h) Non-Allowable Costs and Activities, Most Medical Costs	<p>VOCA funds can only be used for forensic medical exams ONLY for sexual assault victims. Permits forensic exams as allowable costs for sexual assault victims only to the extent that other funding sources are unavailable or insufficient, and such exams conform with state evidentiary collection requirements.</p> <p>Sub-recipients are also encouraged to use specially trained examiners such as Sexual Assault Nurse Examiners.</p>	94.119(g) Forensic Medical Evidence Collection Exams.	<p>Allows forensic medical evidence collection examinations to the extent that other funding sources are insufficient.</p> <p><i>Change from the Guidelines. Does not require examinations to meet State standards, but encourages sub-recipients to use specially trained examiners such as Sexual Assault Nurse Examiners to perform these exams. Encourages, rather than mandates, that crisis counseling or other services be offered in conjunction with the examination. (As discussed in the Preamble.)</i></p> <p>Text: Forensic medical evidence collection examinations for victims to the extent that other funding sources such as State appropriations are insufficient. Forensic medical evidence collection examiners are encouraged to follow relevant guidelines or protocols issued by the State or local jurisdiction. Sub-recipients are encouraged to provide appropriate crisis counseling and/or other types of victim services that are offered to the victim in conjunction with the examination. Sub-recipients are also encouraged to use specially trained examiners such as Sexual Assault Nurse Examiners.</p>
Sub. Rec. Allowable/	Sect. IV(E)(1)	Not included.	94.119(h) Forensic	<i>Change from the Guidelines. Allows for forensic interviews and sets forth parameters.</i>

Unallowable Costs, Allowable Direct Service Costs: Forensic Interviews	Allowable Costs for Direct Services		Interviews	<p>Forensic interviews, with the following parameters:</p> <p>(1) Results of the interview will be used not only for law enforcement and prosecution purposes, but also for identification of needs such as social services, personal advocacy, case management, substance abuse treatment, and mental health services;</p> <p>(2) Interviews are conducted in the context of a multi-disciplinary investigation and diagnostic team, or in a specialized setting such as a child advocacy center; and</p> <p>(3) The interviewer is trained to conduct forensic interviews appropriate to the developmental age and abilities of children, or the developmental, cognitive, and physical or communication disabilities presented by adults.</p>
Sub. Rec. Allowable/ Unallowable Costs, Allowable Direct Service Costs: Transportation	Sect. IV(E)(1)(e) Costs Nec. and Essent. to Providing Dir. Services	Allows for transportation costs for victims to receive services and <i>emergency transportation costs</i> that enable a victim to participate in the criminal justice system.	94.119(i) Transp.	<p><i>Change from the Guidelines. Does not require for it to be “emergency transportation costs” that enable a victim to participate in the criminal justice system.</i></p> <p>Transportation of victims to receive services and to participate in criminal justice proceedings.</p>
Sub. Rec. Allowable/ Unallowable Costs, Allowable Direct Service Costs: Public Awareness	Sect. IV(E)(2)(h) Operating Costs; IV(E)(2)(k) Public Present.	<p>Allows for operating costs such as brochures which describe available services and books and other victim-related materials.</p> <p>Allows for public presentations that are made in schools, community centers or other public forums, and <i>that are designed to identify crime victims and provide or refer them to needed services.</i></p>	94.119(j) Public Awareness	<p><i>Change from the Guidelines. Rewords the language stating that the materials are designed to “inform” crime victims of specific rights and services (instead of the wording in the Guidelines to “identify” crime victims) and provide them with (or refer them to) services and assistance (instead of “needed” services as in the Guidelines).</i></p> <p>Text: Public awareness and education presentations (including, but not limited to, the development of presentation materials, brochures, newspaper notices, and public service announcements) in schools, community centers, and other public forums <i>that are designed to inform crime victims of specific rights and services and provide them with (or refer them to) services and assistance.</i></p>
Sub. Rec. Allowable/ Unallowable Costs, Allowable Direct Service	Sect. IV(E)(1) Allowable Costs For Direct	Not included.	94.119(k) Transitional Housing	<p><i>Change from the Guidelines. Adds expenses typically associated with transitional housing as allowable expenses.</i></p> <p>Text: Subject to any restrictions or limitations set by the SAA, permits transitional housing for victims (generally, those who have a particular need</p>

Costs: Transitional Housing	Services			<p>for such housing, and who cannot safely return to their previous housing, due to the circumstances of their victimization), including, but not limited to, travel, rental assistance, security deposits, utilities, and other costs incidental to the relocation to such housing, as well as voluntary support services such as childcare and counseling.</p> <p>OVC views transitional housing as a necessary victim expense for some victims. This is particularly true for victims of human trafficking, victims with disabilities abused by caretakers, domestic violence victims and their dependents, and sexual assault victims. Under the Rule, States may use VOCA funds for housing and shelter purposes to the extent that such is necessary as a consequence of the victimization and for the well-being of the victim. For example, shelters for victims of domestic violence or human trafficking would be allowable uses of VOCA funds. It would also be allowable in the case of sexual assault, where a victim needs to move. The Rule merely allows States to fund this activity; it does not require it. See the Preamble for additional guidance.</p>
Sub. Rec. Allowable/ Unallowable Costs, Allowable Direct Service Costs: Relocation	Sect. IV(E)(3)(i) Non- Allowable Costs and Activities, Relocation Expenses	Prohibits relocation expenses such as moving expenses, security deposits on housing, ongoing rent, and mortgage payments.	94.119(l) Relocation	<p><i>Change from the Guidelines. Adds relocation expenses as an allowable expense. Note, while relocation expenses are allowable, mortgage expenses are not. (As discussed in the Preamble.)</i></p> <p>Text: Subject to any restrictions on amount, length of time, and eligible crimes, set by the SAA, relocation of victims (generally, where necessary for the safety and well-being of a victim), including, but not limited to, reasonable moving expenses, security deposits on housing, rental expenses, and utility startup costs.</p>
Sub-Recipient Allowable/Unallowable Costs: Allowable Costs for Activities Supporting Direct Services			94.120 Allowable Costs for Activities Supporting Direct Services	
Sub. Rec. Allowable/ Unallowable Costs, Allowable Costs for Activ. Supp. Dir. Svcs.	Sect. IV(E)(1) Allowable Costs for Direct Services; IV(E)(2) Other	<p>Provides examples of allowable supporting activities.</p> <p>Requires that before these costs that are generally not considered direct crime victim services, but are often a</p>	94.120	<p><i>Change from the Guidelines. Removes the limiting language from the Guidelines regarding the use of VOCA funds for activities and costs that are “generally not considered direct crime victim services, but are often a necessary and essential activity to ensure that quality direct service are provided” and merely just states, “Supporting activities for which VOCA funds may be used include, but are not limited to, the following [provisions below].”</i></p> <p>Provides a non-exclusive list of allowable supporting activities.</p>

	Allowable Costs and Services	necessary and essential activity to ensure that quality direct services are provided can be supported with VOCA funds, the state grantee and sub-recipient must agree that direct services to crime victims cannot be offered without support for these expenses; that the sub-recipient has no other source of support for them; and that only limited amounts of VOCA funds will be used for these purposes.		
Sub. Rec. Allowable/ Unallowable Costs, Allowable Costs for Activ. Supp. Dir. Svcs.: Coordination of Activities	Sect. IV(E)(1) Allowable Costs for Direct Services; IV(E)(2) Other Allowable Costs and Services	Not included.	94.120(a) Coord. of Activities	<p><i>Change from the Guidelines. Adds coordination activities as an allowable supporting activity.</i></p> <p>Allows for coordination activities that facilitate the provision of direct services. Such activities include, but are not limited to, State-wide coordination of victim notification systems, crisis response teams, multi-disciplinary teams, coalitions to support and assist victims, and such other programs, and salaries and expenses of such coordination.</p> <p>The Rule provides States with additional flexibility, but does not mandate that States reallocate funding.</p> <p>These are allowable expenses as stand-alone projects or part of a direct service project. If they are funded as stand-alone activities, however, they should be activities that leverage resources for direct victim services (e.g., a stand-alone project to train volunteers may make more volunteers available to provide direct services). (As discussed in the Preamble.)</p>
Sub. Rec. Allowable/ Unallowable Costs, Allowable Costs for Activ. Supp. Dir. Svcs.: Supervision of	Sect. IV(E)(2)(i) Superv. of Direct Service Providers	Allows payment for expenses for the supervision of direct service providers when the State grantee determines that such supervision is necessary and essential to providing direct services to crime	94.120(b) Supervision of Direct Providers	<p>Substantially the same.</p> <p>Allows for the payment of salaries and expenses of supervisory staff in a project, when the SAA determines that such staff are necessary and effectively facilitate the provision of direct services.</p>

Direct Service Providers		victims.		
Sub. Rec. Allowable/ Unallowable Costs, Allowable Costs for Activ. Supp. Dir. Svcs.: Multi-System, Interagency, Multi-Disciplinary Response to Crime Victim Needs	Sect. IV(E)(3)(k) Non-Allowable Costs and Activities, Develop. of Protocols	Prohibits costs and activities which include the development of protocols, Interagency Agreements, and other working agreements.	94.120(c) Multi-System, Interagency, Multi-Disciplinary Response to Crime Victim Needs	<p><i>Change from the Guidelines. Removes the prohibition and allows for multi-system, interagency, multi-disciplinary response to crime victim needs as an allowable supporting activity.</i></p> <p>Text: Activities that support a coordinated and comprehensive response to crime victims needs by direct service providers, including, but not limited to, payment of salaries and expenses of direct service staff serving on child and adult abuse multi-disciplinary investigation and treatment teams, coordination with federal agencies to provide services to victims of federal crimes and/or participation on Statewide or other task forces, work groups, and committees to develop protocols, interagency, and other working agreements.</p>
Sub. Rec. Allowable/ Unallowable Costs, Allowable Costs for Activ. Supp. Dir. Svcs.: Contracts for Professional Services	Sect. IV(E)(2)(g) Contracts for Prof. Services	<p>States that VOCA funds generally should not be used to support contract services, but provides examples where it may be necessary.</p> <p>Text: VOCA funds generally should not be used to support contract services. At times, however, it may be necessary for VOCA sub-recipients to use a portion of the VOCA grant to contract for specialized services. Examples of these services include assistance in filing restraining orders or establishing emergency custody/visitation rights (the provider must have a demonstrated history of advocacy on behalf of domestic violence victims); forensic examinations on a sexual assault victim</p>	94.120(d) Contracts for Professional Services	<p><i>Change from the Guidelines. Allows sub-recipients to contract for professional services not available within the sub-recipient organization. The rate is not to exceed a reasonable market rate and the services are ones that are not available within the organization.</i></p> <p>Text: Contracting for specialized professional services (e.g., psychological/psychiatric consultation, legal services, interpreters), at a rate not to exceed a reasonable market rate, that are not available within the organization.</p>

		<p>to the extent that other funding sources are unavailable or insufficient; emergency psychological or psychiatric services; or sign and/or interpretation for the deaf or for crime victims whose primary language is not English.</p> <p>Sub-recipients are prohibited from using a majority of VOCA funds for contracted services, which contain administrative, overhead, and other indirect costs included in the hourly or daily rate.</p>		
<p>Sub. Rec. Allowable/ Unallowable Costs, Allowable Costs for Activ. Supp. Dir. Svcs.: Automated Systems and Technology</p>	<p>Sect. IV(E)(2)(f) Advanced Techn.</p>	<p>Permits grants for advanced technologies and sets forth requirements such as VOCA sub-recipients must describe how the computer equipment will enhance services to crime victims and how it will be integrated into and/or enhance the sub-recipient's current system.</p> <p><i>Property insurance is an allowable expense as long as VOCA funds support a prorated share of the costs of the insurance payments.</i></p>	<p>94.120(e) Automated Systems and Technology</p>	<p>Substantially the same. Expands the examples of automated technologies. Makes such costs subject to the provisions of the DOJ Grants Financial Guide and government-wide grant rules. <i>Does not mention the costs of property insurance.</i></p> <p>Text: Subject to the provisions of the DOJ Grants Financial Guide and government-wide grant rules relating to acquisition, use and disposition of property purchased with federal funds, procuring automated systems and technology that support delivery of direct services to victims (e.g., automated information and referral systems, e-mail systems that allow communications among victim service providers, automated case-tracking and management systems, smartphones, computer equipment, and victim notification systems), including, but not limited to, procurement of personnel, hardware, and other items, as determined by the SAA after considering—</p> <ol style="list-style-type: none"> (1) Whether such procurement will enhance direct services; (2) How any acquisition will be integrated into and/or enhance the program's current system; (3) The cost of installation; (4) The cost of training staff to use the automated systems and technology; (5) The ongoing operational costs, such as maintenance agreements, supplies; and

				(6) How additional costs relating to any acquisition will be supported.
Sub. Rec. Allowable/ Unallowable Costs, Allowable Costs for Activ. Supp. Dir. Srvc.: Volunteer Trainings	Sect. IV(E)(1)(g) Personnel costs; IV(E)(2)(a) Skills Training for Staff	Permits personnel costs such as the cost of training paid and volunteer staff. VOCA funds designated for training are to be used exclusively for developing the skills of direct service providers including paid staff and volunteers.	94.120(f) Volunteer Trainings	Substantially the same. Permits activities in support of training volunteers on how to provide direct services when such services will be provided primarily by volunteers.
Sub. Rec. Allowable/ Unallowable Costs, Allowable Costs for Activ. Supp. Dir. Srvc.: Restorative Justice	Sect. IV(E)(1)(h) Restorative Justice	Allows for opportunities for crime victims to meet with perpetrators, if such meetings are requested or voluntarily agreed to by the victim and <i>have possible beneficial or therapeutic value</i> to the victim. VOCA assistance funds cannot be used for victim-offender meetings which serve to replace criminal justice proceedings.	94.120(g) Restorative Justice	<i>Change from the Guidelines. Replaces “possible” beneficial or therapeutic value to crime victims with “reasonably anticipated beneficial or therapeutic value.” Provides that a victim’s opportunity to withdraw must be inherent in any restorative justice effort supported by program funds (the Guidelines merely included this as one of several criteria that SAAs should consider when deciding whether to fund such efforts). The Guidelines included as another criteria the benefit or therapeutic value to the victim while the final rule requires that SAAs also consider the costs in relation to the benefit or therapeutic value to the victim. Clarifies that tribal-community led meetings and peace-keeping activities are allowable expenses. (As discussed in the Preamble.)</i> Text: Activities in support of opportunities for crime victims to meet with perpetrators, including, but not limited to, tribal community-led meetings and peacekeeping activities, if such meetings are requested or voluntarily agreed to by the victim (who may, at any point, withdraw) and have reasonably anticipated beneficial or therapeutic value to crime victims. SAAs that plan to fund this type of service should closely review the criteria for conducting these meetings, and are encouraged to discuss proposals with OVC prior to awarding VOCA funds for this type of activity. At a minimum, the following should be considered— (1) The safety and security of the victim; (2) The cost versus the benefit or therapeutic value to the victim; (3) The procedures for ensuring that participation of the victim and offenders are voluntary and that the nature of the meeting is clear; (4) The provision of appropriate support and accompaniment for the victim;

				(5) Appropriate debriefing opportunities for the victim after the meeting; and (6) The credentials of the facilitators.
Sub-Recipient Allowable/Unallowable Costs: Allowable Sub-Recipient Administrative Costs			94.121 Allowable Sub-Recipient Administrative Costs	
Sub. Rec. Allowable/Unallowable Costs, Allowable Sub-Rec. Admin. Costs	Sect. IV(E) Services, Activities, and Costs at the Sub-rec. Level		94.121 Allowable Sub-Recipient Admin. Costs	Substantially the same. Provides examples of authorized administrative costs. The list is non-inclusive. Adds training and training-related travel for non-VOCA funded service provider staff as an allowable expense. See 94.121(c). Includes certain additional items (e.g., costs of websites, social media, and mobile devices) in the examples of allowable expenses. See 94.121(f).
Sub. Rec. Allowable/Unallowable Costs, Allowable Sub-Rec. Admin. Costs: Personnel Costs	Sect. IV(E)(1)(g) Personnel Costs	Permits costs that are directly related to providing direct services, such as staff salaries and fringe benefits, including malpractice insurance; the cost of advertising to recruit VOCA-funded personnel; and the cost of training paid and volunteer staff.	94.121(a) Personnel Costs	Substantially the same. Allows for personnel costs that are directly related to providing direct services and supporting activities, such as staff and coordinator salaries expenses (including fringe benefits), and a prorated share of liability insurance.
Sub. Rec. Allowable/Unallowable Costs, Allowable Sub-Rec. Admin. Costs: Skills Training for Staff	Sect. IV(E)(2)(a) Skills Training for Staff	VOCA funds designated for training are to be used exclusively for developing the skills of direct service providers including paid staff and volunteers. VOCA funds can be used to purchase training materials such as books and training manuals. (See sect. IV(E)(2)(b) Training materials) VOCA funds can be used for training both VOCA-funded and non-VOCA-funded service	94.121(b) Skills Training for Staff	Substantially the same. Combines skills training for staff and training materials (see sect. IV(E)(2)(b) of the Guidelines) into one section. Text: Training exclusively for developing the skills of direct service providers, including paid staff and volunteers (both VOCA-funded and not), so that they are better able to offer quality direct services, including, but not limited to, manuals, books, videoconferencing, electronic training resources, and other materials and resources relating to such training.

		providers who work within a VOCA recipient organization, but VOCA funds cannot be used for management and administrative training for executive directors, board members, and other individuals that do not provide direct services.		
Sub. Rec. Allowable/ Unallowable Costs, Allowable Sub-Rec. Admin. Costs: Training Related Travel	Sect. IV(E)(2)(c) Training Related Travel	Permits expenses such as travel, meals, lodging, and registration fees to attend training within the state or a similar geographical area. However, when needed training is unavailable within the immediate geographical area, state grantees may authorize using VOCA funds to support training outside of the geographical area.	94.121(c) Training-Related Travel	Substantially the same, but clarifies this section applies to VOCA-funded and non-VOCA-funded staff. Training-related costs such as travel (in-State, regional, and national), meals, lodging, and registration fees for paid direct-service staff (both VOCA-funded and not).
Sub. Rec. Allowable/ Unallowable Costs, Allowable Sub-Rec. Admin. Costs: Organizational Expenses	Sect. IV(E)(1)(e) Costs Necessary and Essential	Allows for costs <i>necessary and essential to providing direct services</i> , such as pro-rated costs of rent, telephone service, transportation costs for victims to receive services, emergency transportation costs that enable a victim to participate in the criminal justice system, and local travel expenses for service providers.	94.121(d) Organiz. Expenses	<i>Change from the Guidelines. Not only allows for costs necessary and essential to providing direct services, but also other allowable victim services. Adds examples of such costs, including minor adaptations to comply with the ADA and/or improve the program’s ability to provide services to victims. The list of examples is non-inclusive.</i> <i>Also, see section 94.122(e), Capital Expenses, removing the prohibition against indirect organizational costs.</i> Text: Organizational expenses that are <i>necessary and essential to providing direct services and other allowable victim services</i> , including, but not limited to, the prorated costs of rent; utilities; local travel expenses for service providers; and required minor building adaptations necessary to meet DOJ standards implementing the Americans with Disabilities Act and/or modifications that would improve the program’s ability to provide services to victims.
Sub. Rec. Allowable/	Sect. IV(E)(2)(d)	Allows for the purchase of furniture and equipment <i>that</i>	94.121(e) Equipment	<i>Change from the Guidelines. Replaces the language “that provides or enhances direct services” to “that facilitate the delivery of direct services.” Removes the</i>

<p>Unallowable Costs, Allowable Sub-Rec. Admin. Costs: Equipment and Furniture</p>	<p>Equipment and Furniture</p>	<p><i>provides or enhances</i> direct services to crime victims, as demonstrated by the VOCA sub-recipient. VOCA funds can support a prorated share of such an item.</p> <p>Sub-recipients cannot use VOCA funds to purchase equipment for another organization or individual to perform a victim-related service.</p>	<p>and Furniture</p>	<p><i>language “subrecipients cannot use VOCA funds to purchase equipment for another organization or individual to perform a victim-related service.” Expands the examples of allowable expenses. Still requires the VOCA grant be charged a prorated share.</i></p> <p>Allows for expenses of procuring furniture and equipment <i>that facilitate</i> the delivery of direct services (e.g., mobile communication devices, telephones, braille and TTY/TDD equipment, computers and printers, beepers, video cameras and recorders for documenting and reviewing interviews with children, two-way mirrors, colposcopes, digital cameras, and equipment and furniture for shelters, work spaces, victim waiting rooms, and children’s play areas), except that the VOCA grant may be charged only the prorated share of an item that is not used exclusively for victim-related activities.</p>
<p>Sub. Rec. Allowable/ Unallowable Costs, Allowable Sub-Rec. Admin. Costs: Operating Costs</p>	<p>Sect. IV(E)(2)(h) Operating Costs</p>	<p>Provides examples of allowable operating costs such as supplies and equipment use fees.</p> <p>Allows for administrative time to complete certain tasks.</p>	<p>94.121(f) Operating Costs</p>	<p>Substantially the same. Places administrative time to complete certain tasks in a new section (see sect. 94.121(g), VOCA Administrative Time).</p> <p>Operating costs include but are not limited to—</p> <ol style="list-style-type: none"> (1) Supplies; (2) Equipment use fees; (3) Property insurance; (4) Printing, photocopying, and postage; (5) Courier service; (6) Brochures that describe available services; (7) Books and other victim-related materials; (8) Computer backup files/tapes and storage; (9) Security systems; (10) Design and maintenance of websites and social media; and (11) Essential communication services, such as web hosts and mobile device services.
<p>Sub. Rec. Allowable/ Unallowable Costs, Allowable Sub-Rec. Admin. Costs: VOCA Administrative Time</p>	<p>Sect. IV(E)(2)(h) Operating Costs; IV(E)(3)(c) Needs Asmnt., Surveys, Evals.,</p>	<p>VOCA funds may support administrative time to complete VOCA-required time and attendance sheets and programmatic documentation, reports and statistics; administrative time to maintain crime victims’ records; and the prorated</p>	<p>94.121(g) VOCA Admin. Time</p>	<p><i>Change from the Guidelines. Adds needs assessment and victim satisfaction surveys as an allowable expense. (Prohibited under sect. IV(E)(3)(c) of the Guidelines.)</i></p> <p>Moves administrative costs for VOCA administrative time to its own section. It was previously in the “Operating Costs” section of the Guidelines. See sect. IV(E)(2)(h).</p> <p>Allows for costs of administrative time spent performing the following:</p>

	Studies	share of audit costs. Prohibits needs assessments, surveys, evaluations, and studies.		(1) Completing VOCA-required time and attendance sheets and programmatic documentation, reports, and statistics; (2) Collecting and maintaining crime victims' records; (3) Conducting victim satisfaction surveys and needs assessments to improve victim services delivery in the project; and (4) Funding the prorated share of audit costs.
Sub. Rec. Allowable/ Unallowable Costs, Allowable Sub-Rec. Admin. Costs: Leasing or Purchasing Vehicles	Sect. IV(E)(2)(e) Purchasing or Leasing Vehicles	Allows for the purchase or lease of vehicles if the vehicle is essential to delivering services to crime victims.	94.121(h) Leasing or Purchasing Vehicles	Substantially the same. Allows for the costs of leasing or purchasing vehicles, as determined by the SAA after considering, <i>at a minimum</i> , if the vehicle is essential to the provision of direct services.
Sub. Rec. Allowable/ Unallowable Costs, Allowable Sub-Rec. Admin. Costs: Maintenance, Repair, or Replacement of Essential Items	Sect. IV(E)(2)(j) Repair and/or Repl. of Essential Items	Allows for the repair and/or replacement of items that contribute to maintaining a healthy and/or safe environment for crime victims, such as a furnace in a shelter. Sets forth requirements such as all other sources of funding have been exhausted, there is not available option for providing in another location, and that the building or vehicle is owned by the sub-recipient organization and not rented or leased.	94.121(i) Maint., Repair, or Repl. of Essential Items	<i>Change from the Guidelines. Does not list all of the requirements from the Guidelines for an SAA to consider, but instead only requires the SAA to consider, at a minimum, if other sources of funding are available.</i> Text: Costs of maintenance, repair, and replacement of items that contribute to maintenance of a healthy or safe environment for crime victims (such as a furnace in a shelter; and routine maintenance, repair costs, and automobile insurance for leased vehicles), as determined by the SAA <i>after considering, at a minimum, if other sources of funding are available.</i>
Sub. Rec. Allowable/ Unallowable Costs, Allowable Sub-Rec. Admin. Costs: Project Evaluation	Sect. IV(E)(3)(c) Needs Asmt., Sur., Eval., Studies	Prohibits costs for needs assessments, surveys, evaluations, and studies.	94.121(j) Project Evaluation	<i>Change from the Guidelines. Removes the prohibition for evaluation costs and permits costs of evaluations of specific projects (in order to determine their effectiveness), within the limits set by the SAA.</i> The Rule does not prevent SAAs from capping such costs (on a State-wide or project-by-project basis, as appropriate), or limiting such costs to amounts that are reasonable given State goals and funding constraints. As discussed in the Preamble.

				See the prohibition on other research and studies in sect. 94.122(b), Research and Studies.
Sub-Recipient Allowable/Unallowable Costs: Expressly Unallowable Sub-Recipient Costs			94.122 Expressly Unallowable Sub-Recipient Costs	
Sub. Rec. Allowable/Unallowable Costs, Expressly Unallowable Sub-Recipient Costs	Sect. IV(E)(3) Non-Allowable Costs and Activities	Prohibits the use of VOCA funds for perpetrator rehabilitation and counseling. Prohibits indirect organizational costs. Liability insurance on buildings and body guards (which OVC understands to mean security guards) are not allowable.	94.122	<p><i>Most of the provisions are the same as in the Guidelines. With the following exceptions (as discussed in the Preamble):</i></p> <p><i>Perpetrator rehabilitation and counseling: the prohibition in the Guidelines against the use of VOCA funds for perpetrator rehabilitation and counseling has been removed to permit VOCA-funded service providers to provide victim assistance services to victims who are incarcerated.</i></p> <p><i>Victim attendance at conferences: Has been removed from the list of unallowable costs.</i></p> <p><i>Purchasing vehicles: Has been removed from the list of unallowable costs. States now have the discretion to allow sub-recipients to lease or purchase vehicles.</i></p> <p><i>Indirect organizational costs: Has removed the provision that prohibited sub-recipients from using VOCA funds for certain organizational costs.</i></p> <p><i>Removes liability insurance on buildings and body guards (which OVC understands to mean security guards) from the list of unallowable costs.</i></p>
Sub. Rec. Allowable/Unallowable Costs, Expr. Unallowable Sub-Rec. Costs: Lobbying	Sect. IV(E)(3)(a) Lobbying and Admin. Adv.	Prohibits the use of VOCA funds to support victim legislation or administrative reform, whether conducted directly or indirectly.	94.122(a) Lobbying	Substantially the same. Prohibits lobbying or advocacy activities with respect to legislation or to administrative changes to regulation or administrative policy (cf. 18 U.S.C. 1913), whether conducted directly or indirectly.
Sub. Rec. Allowable/Unallowable Costs, Expr. Unallowable Sub-Rec. Costs:	Sect. IV(E)(3)(c) Needs Asmt., Surv., Eval., Studies	Prohibits efforts conducted by individuals, task forces, or special commissions to study and/or research particular crime victim issues.	94.122(b) Research and Studies	Allows for project evaluations. Prohibits research and studies, except for project evaluation under section 94.121(j), Project Evaluation.

Research and Studies				
Sub. Rec. Allowable/ Unallowable Costs, Expr. Unallowable Sub-Rec. Costs: Active Investigation and Prosecution of Criminal Activities	Sect. IV(E)(3)(d) Prosecution Activities	Prohibits activities that are directed at prosecuting an offender and/or improving the criminal justice system's effectiveness and efficiency. This includes victim witness protection costs and subsequent lodging and meal expenses.	94.122(c) Active Invest. and Prosecution of Criminal Activities	Substantially the same. Prohibits the active investigation and prosecution of criminal activity, except for the provision of victim assistance services (e.g., emotional support, advocacy, and legal services) to crime victims, under section 94.119, Allowable Direct Service Costs, during such investigation and prosecution.
Sub. Rec. Allowable/ Unallowable Costs, Expr. Unallowable Sub-Rec. Costs: Fundraising	Sect. IV(E)(3)(e) Fund. Activities	Prohibits fundraising activities.	94.122(d) Fundraising	Substantially the same. Prohibits any activities related to fundraising, except for fee-based, or similar, program income authorized by the SAA under the Rule.
Sub. Rec. Allowable/ Unallowable Costs, Expr. Unallowable Sub-Rec. Costs: Capital Expenses	Sect. IV(E)(3)(f) Indirect Organ. Costs	Prohibits indirect organizational costs such as the costs of liability insurance on buildings; capital improvements; security guards and body guards; property losses and expenses; real estate purchases; mortgage payments; and construction.	94.122(e) Capital Expenses	<i>Change from the Guidelines. Has removed the provision that prohibited sub-recipients from using VOCA funds for certain organizational costs. Also, see section 94.121(d), Organizational Expenses, and the Preamble.</i> Text: Capital improvements; property losses and expenses; real estate purchases; mortgage payments; and construction (except as specifically allowed elsewhere in this subpart).
Sub. Rec. Allowable/ Unallowable Costs, Expr. Unallowable Sub-Rec. Costs: Compensation for Victims of	Sect. IV(E)(3)(g) Property Loss	Prohibits reimbursing crime victims for expenses incurred as a result of a crime such as insurance deductibles, replacement of stolen property, funeral expenses, lost wages, and medical bills.	94.122(f) Comp. for Victims of Crime	Prohibits reimbursement of crime victims for expenses incurred as a result of a crime, except as otherwise allowed by other provisions of the Rule.

Crime				
Sub. Rec. Allowable/ Unallowable Costs, Expr. Unallowable Sub-Rec. Costs: Medical Care	Sect. IV(E)(3)(h) Most Medical Costs	<p>VOCA funds cannot pay for nursing home care (emergency short-term nursing home shelter is allowable), home healthcare costs, in-patient treatment costs, hospital care, and other types of emergency and non-emergency medical and/or dental treatment.</p> <p>VOCA funds cannot support medical costs resulting from a victimization, except for forensic medical examinations for sexual assault victims.</p>	94.122(g) Medical Care	Substantially the same. Prohibits medical care, except as otherwise allowed by other provisions in the Rule. See the forensic exams section.
Sub. Rec. Allowable/ Unallowable Costs, Expr. Unallowable Sub-Rec. Costs: Salaries and Expenses of Management	Sect. IV(E)(3)(j) Admin. Staff Expenses	Prohibits salaries, fees, and reimbursable expenses associated with administrators, board members, executive directors, consultants, coordinators, and other individuals unless these expenses are incurred while providing direct services to crime victims.	94.122(h) Salaries and Expenses of Managmnt.	Substantially the same. Prohibits expenses for salaries, benefits, fees, furniture, equipment, and other expenses of executive board directors, board members, and other administrators (except as specifically allowed elsewhere in the Rule).