

United States Senate
WASHINGTON, DC 20510

April 6, 2006

The Honorable Richard C. Shelby, Chairman
The Honorable Barbara A. Mikulski, Ranking Member
Subcommittee on Commerce, Justice and Science
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Chairman Shelby and Ranking Member Mikulski:

As you begin your work on the Subcommittee's appropriations for Fiscal Year (FY) 2007, we respectfully request that you oppose proposals to rescind all amounts remaining in the Crime Victims Fund ("the Fund") at the end of FY 2007, and permit those amounts to remain in the fund for use as authorized by the Victims of Crime Act (VOCA), Public Law 98-473.

Since its enactment more than twenty years ago, VOCA has been the principal means by which the Federal government has supported essential services for crime victims. VOCA created the Fund so that fines, forfeitures, and assessments paid by Federal criminal offenders – *not taxpayers* – generate the revenue used for grants to state crime victim compensation programs, direct victim assistance services and services to victims of Federal crimes.

More than 4,400 agencies nationwide provide critical services to nearly four million victims of domestic violence, sexual assault, child abuse, drunk driving, elder abuse and all other types of crime annually. These agencies rely upon VOCA grants to aid victims in paying for medical care, mental health counseling, lost wages and support, and funeral and burial costs through state crime victim compensation programs that supplement state-funded benefits with VOCA grants.

These balances have been needed three times in the past six years to meet annual Fund obligations enabling VOCA to honor the pledge Congress made to sustain critical victim services. These services are essential to numerous victims' assistance programs in every state. Every state has programs that would be affected or discontinued if this rescission is allowed to stand.

Despite Congress' intention to retain all deposits in the Fund for victim services, the Administration's FY 2007 budget proposal would rescind an estimated \$1.255 billion from the Fund. Consequently, the Fund would be empty at the start of FY 2008, meaning no funds would be available to allocate VOCA grants according the statutory formula, thereby jeopardizing the ability of these programs to continue serving crime victims.

Last year, the Senate was able to block a similar proposal by adopting an amendment to the FY 2006 Senate Budget Resolution supporting the retention of all amounts deposited into the Crime Victims for uses authorized under the VOCA statute. Furthermore, Congress maintained the Fund's balance in the Science, State, Justice and Commerce Appropriations Act for FY 2006 (Public Law 109-108). We thank you for protecting the Fund last year, and we urge you once again to refrain from adopting the President's rescission proposal and to continue the retention of all deposits in the Fund. Rescission of this vital funding source would leave zero dollars available at the beginning of FY 2008 and would create a disastrous situation for providers of victims' services.

We bear a responsibility to victims of crime. It is appropriate and just that compensation come from convicted criminals. It is entirely inappropriate to expunge this money from the Fund and transfer it into the pot of appropriated taxpayer dollars. We firmly reject this proposal by the Administration and hope that the Senate Commerce, Justice and Science Appropriations Subcommittee will also reject this rescission, which goes against the spirit and intent of the original legislation and subsequent amendments.

Thank you for your leadership in this critical area and for your consideration of this request.

Sincerely,

Mike Cryo

Ed Kennedy

Dick Durbin

Tom Kyl

Mary Gandy

Patrick Leahy

Jim Jeffords

Jack Reed

Maria Cantwell

Jon Kyl

Nurs Feiglat

Herb Kohl

Jim John

James J. Leika

Chuck Scherer

Tom F. Kelly

Capt Levin

Alvin J. Brown

Joe J. Rubin

John Conyer

Chris Ortol

Ausan Collins

Wm Dewine

Chuck Grassley