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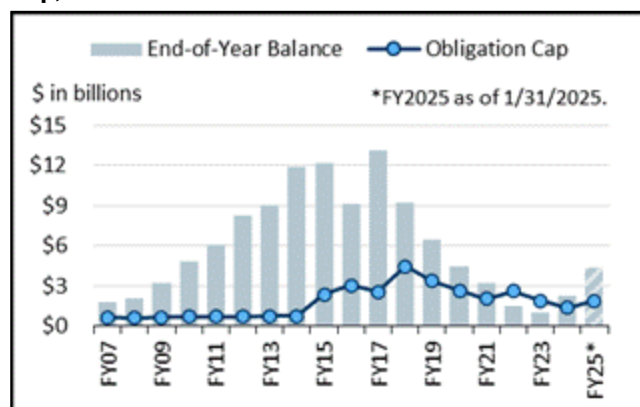
The Fluctuating Balance of the Crime Victims Fund

The federal Crime Victims Fund (CVF; the Fund) supports various crime victim assistance and compensation programs and is administered by the U.S. Department of Justice (DOJ), Office for Victims of Crime (OVC). The balance of the Fund at the end of each fiscal year has fluctuated over the last decade (after nearly a decade of increases), ranging from a record high of \$13.1 billion in FY2017 to a low of \$1.0 billion in FY2023. These fluctuations can affect the amount available for certain programs authorized under the Victims of Crime Act (VOCA)—particularly the largest VOCA grant program, the Victim Assistance Formula Grant (Victim Assistance Grant). This In Focus discusses reasons for the CVF’s fluctuating balance and how it affects the Victim Assistance Grant. It also outlines legislative options for lawmakers in considering management of the Fund. For a broader discussion of the history of the CVF, VOCA, and selected policy issues, see CRS Report R42672, *The Crime Victims Fund (CVF): Federal Support for Victims of Crime*.

Recent History of the CVF

The CVF’s balance increased each year from FY2007 to FY2015, growing from \$1.8 billion to \$12.1 billion (Figure 1). While the CVF balance grew each year during this period, Congress had set the annual obligation cap (i.e., the limit on the total amount that can be obligated from the CVF in a fiscal year) between \$600 and \$745 million, until FY2015 when the obligation cap tripled. Part of the reason for the steep growth in the CVF balance during this time was that the obligation cap on the CVF was set below the Fund’s annual receipts (Figure 2).

Figure 1. CVF End-of-Year Balance and Obligation Cap, FY2007–FY2025



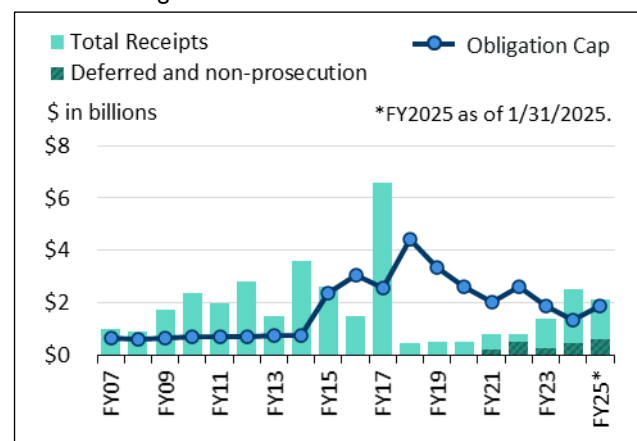
Source: OVC, *Crime Victims Fund*.

Another reason for growth in the CVF balance was the collection of large federal criminal fines during this period. For example, in 2009 Pfizer agreed to pay a federal criminal fine of \$1.2 billion, the largest criminal fine ever imposed in the United States at that time. In 2010, BAE

Systems PLC was ordered to pay a \$400 million federal criminal fine. Nearly all federal criminal fines are to be deposited into the CVF as authorized under VOCA.

Figure 2. CVF Annual Receipts and Obligation Cap, FY2007–FY2025

Total Receipts and Amount From Deferred and Non-Prosecution Agreements



Source: OVC, *Crime Victims Fund*.

The end-of-year CVF balance declined each year from FY2018 to FY2023. Reasons for this decline include a drop in deposits starting in FY2018 compared to previous fiscal years (Figure 2) and new draws on the Fund beginning in FY2015:

- From FY2015 through FY2025, \$10 million of CVF funds were transferred annually to the DOJ Office of the Inspector General for oversight and auditing purposes.
- From FY2016 to FY2022 and FY2024 to FY2025, appropriations acts transferred CVF funds to the Office on Violence Against Women for grant programs authorized under the Violence Against Women Act.
- In FY2018, 3% of the amount made available for obligation from the Fund was set aside for tribal victim assistance grants. From FY2019 to FY2025, 5% was set aside for this purpose.

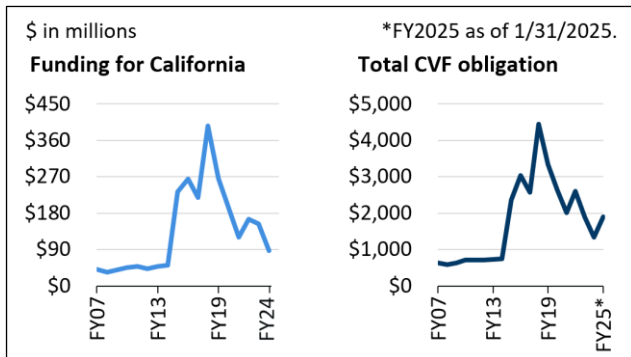
The decline in the CVF balance led to a reduction in the annual obligation cap from FY2018 to FY2021. The obligation cap continued to fluctuate from FY2021 to FY2025 while the CVF balance has increased since FY2023. The fluctuations in the obligation cap resulted in varying amounts being made available for certain VOCA programs—the Victim Assistance Grant in particular.

Fluctuating Funds for the Victim Assistance Grant

Each year, OVC allocates CVF money according to the requirements of VOCA and of appropriations laws. After all other programs have been funded, 47.5% of the remaining CVF balance is allocated for the Victim Assistance Grant (plus any remaining funds not needed from the Victim Compensation Formula Program). While the fluctuating obligation cap affects any program that receives a percentage of the capped amount, as opposed to a set amount, new draws on the Fund particularly affect the amounts available for the Victim Assistance Grant. Funds under this program are used by states to support organizations that provide direct services to victims.

When the annual CVF obligation cap more than tripled from FY2014 to FY2015, the amount that states received in Victim Assistance Grant funds more than quadrupled. For example, Victim Assistance Grant funding for California (the most populated state and largest grant recipient) increased from \$51.8 million in FY2014 to \$232.7 million in FY2015. Since that initial increase, the amount California received in victim assistance funds has ranged from a high of \$396.6 million in FY2018 to a low of \$87.1 million in FY2024 (**Figure 3**). All states have generally faced the same percentage changes in grant amounts. Some states reduce funding for organizations that provide direct services to victims in order to accommodate decreases in Victim Assistance Grant funding.

Figure 3. Victim Assistance Grant Funds for California, FY2007–FY2024; Compared with Total CVF Obligation, FY2007–FY2025



Source: OVC, *Formula Grant Allocations Archive*; and 2024 *Crime Victims Fund Compensation and Assistance Allocation Charts*.

Notes: FY2025 grant allocation amounts were not available as of the publication date of this In Focus.

Options for Congress

Many in Congress continue to express concern regarding the solvency of the CVF and the consistency of funds available for crime victim programs. In 2021, the VOCA Fix to Sustain the Crime Victims Fund Act (P.L. 117-27) was enacted. It required monetary penalties from federal deferred prosecution and non-prosecution agreements to be deposited in the CVF. While the CVF has received this new revenue since July 2021 (**Figure 2**), the fluctuating balance of the CVF and the ability to sustain stable funding for VOCA programs remain issues for Congress.

Increased Transparency of Deposits to the Fund

While OVC publishes monthly receipts data for the CVF, it does not publish data on payments from individual cases. In 2005, the National Association of VOCA Assistance Administrators reported that collections of large criminal fines paid by a small number of defendants primarily drive increases to the CVF balance and published case-level data obtained from the Executive Office of U.S. Attorneys, Financial Litigation Unit.

In 2024, the Senate Judiciary Committee stated that it is “exceptionally difficult for the Committee to plan without greater insight into potential future proceeds for the CVF.” It directed DOJ to “establish a system to track payments from concluded cases that may result in deposits into the CVF.” Congress could further require that the data be publicly available so policymakers and researchers alike could have greater insight into past and future proceeds in the CVF.

Adjusting the Obligation Cap

Congress may alter the way it determines the annual obligation cap on the CVF, and there are any number of ways that Congress may adjust its calculations. For example, Congress could set the cap at a minimum amount and allow for only limited fluctuations from year to year to provide states with more consistency in the amount they receive in their Victim Assistance Grant and allocate to subgrantees. This may require supplemental funding.

Use of the Fund

Congress could alter the way the Fund is used. It might adjust funding amounts for certain programs or alter or prohibit recissions from the Fund. For example, the Fairness for Crime Victims Act of 2025 (S. 285) would prohibit the balance of the CVF from being used as an offset for other federal spending.

Eliminating the Fund

Given that changes in the CVF balance and obligation cap cause fluctuations in victim assistance funds available for states, territories, and tribes, Congress might consider eliminating the Fund altogether. Instead, Congress could authorize and appropriate funds for VOCA programs to provide more consistent funding each year.

Revenue for the Fund

Congress might consider further increasing revenue for the CVF by increasing federal criminal fines. Some federal criminal fines have not been adjusted for decades, and Congress could both increase fines and set them to adjust for inflation as a possible way to provide more funding for the CVF.

Another potential way to increase funding for the CVF could be to add new sources of revenue. While most federal criminal fines are deposited into the CVF, civil fines are not. For example, the Crime Victims Fund Stabilization Act of 2025 (H.R. 909) would temporarily (from date of enactment through FY2029) provide that certain civil fines collected under the False Claims Act would be deposited into the CVF. DOJ reports that it obtained \$2.9 billion from fraud and false claims suits in FY2024.

The figures in this report were created by CRS Visual Information Specialist Amber Wilhelm.

Lisa N. Sacco, Specialist in Illicit Drugs and Crime Policy

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