

Victims of Crime Act (VOCA) Hurricane Relief FAQs

Allowable Expenses

- 1. Can VOCA funds be used to make repairs to subrecipient facilities such as shelters and rape crisis centers that have been damaged by a storm? Specifically, would the following be considered allowable expenses: making repairs to replace floors, drywall, electrical systems, HVAC units, or roofs that have been damaged as a result of flooding or winds due to a natural disaster, which are necessary for the facility and not covered by insurance or another federal funding stream (e.g., the Federal Emergency Management Agency)?**

Answer: 28 CFR 94.119(a)(8) allows for expenses for direct services associated with the immediate emotional, psychological, and physical health and safety (other than medical care) of crime victims, including window, door, or lock replacement or repair, and other repairs necessary to ensure victim's safety.

28 CFR 94.121(d) allows for organizational expenses to support building modifications that would improve a program's ability to provide services to victims.

28 CFR 94.122(e) covers expressly unallowable subrecipient costs. No VOCA funds may be used to fund or support capital expenses, including capital improvements, property losses and expenses, and construction (except as specifically allowed elsewhere in this subpart).

In this circumstance, if the repairs or replacements due to the hurricane or natural disaster are necessary to ensure victims' safety in the shelters and rape crisis centers, including replacing floors, drywall, electrical systems, HVAC units, or roofs, then this would be allowable under the rule as an exception to prohibited construction. See 28 CFR 94.119(a)(8), 94.121(d), 94.122(e). (Posted September 2018)

- 2. Can VOCA funds be used to pay for excess staffing time (including overtime) for staff who have to remain at a facility past their normal work days in order to keep a shelter open during a storm and its aftermath?**

Answer: Yes. Overtime is an allowable expense under the rule and the DOJ Grants Financial Guide. (Posted September 2018)

- 3. Can VOCA funds be used to pay for hotel accommodations for victims who may have to be put up somewhere else while a shelter is out of service?**

Answer: Yes. The rule sets forth a non-exhaustive list of examples of allowable direct service costs, including costs associated with the immediate emotional, psychological, and physical health and safety of victims, such as emergency shelter. This may include hotel expenses in these circumstances. See 28 CFR 94.119(5). (Posted September 2018)

Subrecipient Award Period Timing

- 1. A subrecipient has a 2015 award that ends on September 30, 2018. Due to a recent natural disaster, the subrecipient wants to make repairs to its shelter. If the subrecipient obligates funds to conduct repair work on or before September 30, 2018, may activities to complete the repairs occur after September 30, 2018?**

Answer: If the subgrantee elects to spend remaining 2015 funds on repairs to its shelter, it must obligate those funds by September 30, 2018, and it has 90 days to complete performance on the obligated funds (i.e., they have the liquidation period of the award to complete performance). Therefore, the subgrant will end on September 30, 2018, but the subgrantee will file its final Federal Financial Report on December 31, 2018, noting its final expenditures for the award.

Essentially, the subgrantee will not be incurring any new obligations on the 2015 award beginning October 1, 2018, but will make its final drawdowns related to the obligations that were incurred prior to September 30, 2018. To be clear, the subgrantee only has 90 days to complete performance on obligations made with funds expiring on September 30, 2018. No new obligations on the 2015 funds may be made after September 30, 2018. (Posted September 2018)