

United States Senate

WASHINGTON, DC 20510

September 9, 2024

VIA ELECTRONIC TRANSMISSION

The Honorable Gene Dodaro
Comptroller General
U.S. Government Accountability Office

Dear Comptroller General Dodaro:

Congress established the Crime Victims Fund (CVF) in 1984 to support crime survivors with costs associated with medical care, mental health counseling, lost wages, courtroom advocacy, temporary housing, and related matters. The CVF provides funding for federal, state, and tribal victim assistance and compensation programs as well as discretionary grants that support victims and survivors of crime. The CVF is funded through criminal fines and penalties from Justice Department criminal prosecutions, and not taxpayer dollars.¹ However, over the past several years, deposits into the CVF and its corresponding balance have significantly decreased even though Congress has taken multiple and significant steps to increase the balance of the fund.²

For example, in July 2021, Congress passed and the President signed into law the VOCA Fix to Sustain the Crime Victims Fund Act of 2021 (VOCA Fix) that required monetary penalties from deferred and non-prosecution agreements to be deposited into the CVF. At the time, \$4-\$7 billion of non-taxpayer money was estimated to be available for the fund over the next few years.³ Despite these Congressional efforts to shore up the CVF, data published by the Office for Victims of Crime (OVC) shows the balance of the CVF remains historically low.⁴

Moreover, GAO has previously reported that “[a]ccording to DOJ officials, funds remitted to the CVF are collected primarily by each local Clerk of Courts nationwide. DOJ cannot determine the amount of collections derived from each of the sources ...because the [CVF] data show only how much was remitted from each court.”⁵ Further, with respect to individual fines, the Justice Department has admitted that it “cannot confirm whether and when courts deposited that given fine into the CVF.”⁶ This raises serious questions about the internal controls used to manage the CVF and who is ultimately responsible for ensuring all money intended for the CVF is actually deposited.

GAO has previously reported on the financial management, oversight, and transparency of federal agencies’ permanent funding authorities, in which the CVF was one of many funds included within the review.⁷

¹ CVF sources of funding include criminal fines, forfeited appearance bonds, penalty assessment imposed on individuals and corporation convicted of a crime, and gifts, donations, and bequests from private parties.

² See Office for Victims of Crime, FY2007-FY2024 Crime Victims Fund End of Year Balance (\$ in millions), <https://ovc.ojp.gov/about/crime-victims-fund/fy-2007-2024-cvf-balance.pdf>.

³ Press Release, *Grassley Joins Bipartisan Push To Strengthen Victims Of Crime Act*, (Mar. 5, 2021) <https://www.grassley.senate.gov/news/news-releases/grassley-joins-bipartisan-push-to-strengthen-victims-of-crime-act>.

⁴ See Office for Victims of Crime, FY2007-FY2024 Crime Victims Fund End of Year Balance (\$ in millions), <https://ovc.ojp.gov/about/crime-victims-fund/fy-2007-2024-cvf-balance.pdf>.

⁵ GAO, *Permanent Funding Authorities: Some Selected Entities Should Review Financial Management, Oversight, and Transparency Policies*, GAO-17-59 (Washington, D.C.: December 9, 2016) <https://www.gao.gov/products/gao-17-59>

⁶ Letter from Senators Grassley, Ernst, Crapo, and Risch to Attorney General Garland, (Jul. 2, 2024)

https://www.grassley.senate.gov/imo/media/doc/grassley_crapo_risch_and_ernst_to_doj_-crime_victims_fund.pdf.

⁷ GAO, *Permanent Funding Authorities: Some Selected Entities Should Review Financial Management, Oversight, and Transparency Policies*, GAO-17-59 (Washington, D.C.: December 9, 2016) <https://www.gao.gov/products/gao-17-59>; GAO, *Department of Justice:*

However, a more focused review is needed. Congress needs to better understand how the deposits and balance of the CVF have reached such historically low levels and the financial management and administration of the fund to determine how best to fix the issues facing the CVF. Resolving these issues is critically important to ensure victims and survivors of crime have access to resources to help them heal. Therefore, we request that GAO conduct a CVF review that assesses the following:

1. The Justice Department practice of off-setting rather than collecting criminal fines and penalties for deposit into the CVF and its financial impact on the CVF.
2. To what extent does the Justice Department and federal courts ensure that applicable fines and penalties are collected and deposited into the CVF?
3. How have monies in the CVF been managed and used by the Justice Department over the past 10 years, including:
 - Annual amounts of collections, obligations, outlays, unobligated balances, and unexpended obligations;
 - For what purposes have these funds been obligated and expended; and
 - The return of misappropriated awards to the CVF.
4. To what extent does the Justice Department ensure the timely drawdown of grant funds from the CVF and de-obligate any funds that are past their period of availability?

Thank you for your prompt review and response. Please contact Brian Randolph and Silvia Symber on Senator Grassley's Committee staff at (202) 224-0642 regarding this request.

Sincerely,



Charles E. Grassley
Ranking Member
Committee on the Budget



Mike Crapo
United States Senator



James E. Risch
United States Senator



Catherine Cortez Masto
United States Senator



Joni K. Ernst
United States Senator



Susan M. Collins
United States Senator