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## United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

April 7, 2025

### VIA ELECTRONIC TRANSMISSION

The Honorable Pamela J. Bondi  
Attorney General  
Department of Justice

Norman Wong  
Principal Deputy Director  
Executive Office for U.S. Attorneys

Dear Attorney General Bondi and Mr. Wong:

We write to you about the importance of the Justice Department collecting criminal fines and penalties it imposes and ensuring that these funds are deposited into the Crime Victims Fund (CVF), which helps support victims and survivors of crime across the nation. Since its establishment by Congress in 1984, the CVF has provided critical resources to support victims and survivors of crime by providing grants to fund programs such as domestic violence shelters, victim advocacy centers, victim legal assistance, and children advocacy centers.<sup>1</sup> The CVF is unique because Congress established the fund to be self-sustaining through Justice Department prosecutions of criminals by requiring “all fines that are collected from persons convicted of offenses against the United States” be deposited into the CVF, with very limited exceptions.<sup>2</sup> However, over the years, deposits and the balance of the CVF have fluctuated and generally decreased.<sup>3</sup>

To address these concerns, the Senate unanimously passed the VOCA Fix of 2021, which was enacted into law, that required additional criminal fines and penalties from deferred prosecution agreements (DPA) and non-prosecution agreements (NPA) be deposited into the CVF.<sup>4</sup> At the time, an estimated \$4-\$7 billion was to be available for the fund over the next few

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<sup>1</sup> Office for Victims of Crime, *2023 Report to the Nation-FY 2021-2022*, <https://ovc.ojp.gov/2023-report-nation/message-director>.

<sup>2</sup> 34 U.S. Code § 20101(b) (these limited exceptions include fines collected by Treasury to pay awards to fish and wildlife whistleblowers under the Endangered Species Act and Lacey Act Amendment, and certain fines paid to the railroad unemployment insurance account, Postal Service Fund, navigable waters revolving fund, and county public school fund.)

<sup>3</sup> Office for Victims of Crime, *Crime Victims Fund End of Year Balance*, <https://ovc.ojp.gov/about/crime-victims-fund/fy-2007-2025-cvf-balance.pdf>; *CVF Fund Annual Receipts*, <https://ovc.ojp.gov/about/crime-victims-fund/fy-2007-2025-cvf-annual-receipts.pdf>.

<sup>4</sup> Public Law No: 117-27, (Jul. 22, 2021) <https://www.congress.gov/bills/117th-congress/house-bill/1652/text>. 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>.

years; however, that would not be the case, due to what appears to be the Biden Justice Department's failure to collect these criminal fines and deposit them into the CVF.<sup>5</sup>

Chairman Grassley's oversight has revealed that since the enactment of the VOCA Fix, the Biden Justice Department and United States Attorney's Offices (USAO) have offset more than a billion dollars in criminal fines and penalties from corporate defendant DPAs, NPAs, and guilty plea agreements by what these corporate criminals paid to foreign governments and elsewhere, rather than depositing them into the CVF.<sup>6</sup> One of the most egregious examples occurred in the case *United States v. Binance* in November 2023.<sup>7</sup> At the time, the balance of the CVF was \$1 billion, the lowest in over a decade and a half.<sup>8</sup> Yet, in the *Binance* case, the USAO for the Western District of Washington initially filed a guilty plea agreement that offset the entire billion-dollar criminal fine, where *zero dollars* would have been deposited into the CVF.<sup>9</sup> While the Justice Department would later file an amended agreement, where \$1.5 billion in criminal penalties would be deposited into the CVF rather than be offset, the *Binance* case is a reminder that USAO decisions have serious, real world consequences for whether victims and survivors of crime across the nation have access to programs to help them recover and heal.<sup>10</sup>

Since Chairman Grassley's oversight exposed the Justice Department's failures to collect criminal fines it imposes and deposit them into the CVF, the end of year balance of the CVF has increased from \$1 billion in 2023 to \$2.2 billion in 2024, and the current 2025 balance is \$4.3 billion.<sup>11</sup> Further, in the *Full-Year Continuing Appropriations and Extensions Act, 2025* that was enacted into law, Congress increased the CVF cap from \$1.353 billion to \$1.9 billion, as urged by Chairman Grassley and Senator Cortez Masto, so more of these funds can be available to help provide resources to crime victims.<sup>12</sup> Congress has continued its efforts to shore up the CVF, but the Justice Department must also do its part.

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<sup>5</sup> See CVF Annual Receipts, *supra* note 3.

<sup>6</sup> See Letter from Senators Charles E. Grassley, Mike Crapo, James E. Risch, and Joni K. Ernst 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](https://www.grassley.senate.gov/imo/media/doc/grassley_crapo_risch_and_ernst_to_doj_-_crime_victims_fund.pdf); Letter from Senator Grassley to Attorney General Garland, (Dec. 13, 2023)

[https://www.grassley.senate.gov/imo/media/doc/grassley\\_to\\_doj\\_-\\_crime\\_victims\\_fund\\_follow\\_up.pdf](https://www.grassley.senate.gov/imo/media/doc/grassley_to_doj_-_crime_victims_fund_follow_up.pdf); Letter from Senator Grassley to Attorney General Garland, (Feb. 27, 2023) [https://www.grassley.senate.gov/imo/media/doc/grassley\\_to\\_doj\\_-\\_crime\\_victims\\_fund.pdf](https://www.grassley.senate.gov/imo/media/doc/grassley_to_doj_-_crime_victims_fund.pdf); see also, David Lerman, *Senators seek answers on dwindling fund for crime victims*, Roll Call (Jul. 26, 2024) <https://rollcall.com/2024/07/26/senators-seek-answers-on-dwindling-fund-for-crime-victims/>.

<sup>7</sup> *United States v. Binance*, (W.D. of Washington), (Dec. 6, 2023) <https://www.law360.com/cases/655cf988d1d64006af82292e/dockets>.

<sup>8</sup> See CVF End of Year Balance, *supra* note 3.

<sup>9</sup> *United States V. Binance*, Addendum to Plea Agreement, (W.D. of Washington), (Dec. 11, 2023), [https://www.law360.com/dockets/download/65788c54aeb11301c6a08355?doc\\_url=https%3A%2F%2Fecf.wawd.uscourts.gov%2Fdoc1%2F197110991379&label=Case+Filing](https://www.law360.com/dockets/download/65788c54aeb11301c6a08355?doc_url=https%3A%2F%2Fecf.wawd.uscourts.gov%2Fdoc1%2F197110991379&label=Case+Filing).

<sup>10</sup> *Id.*

<sup>11</sup> CVF End of Year Balance, *supra* note 3.

<sup>12</sup> Letter from Senator Charles E. Grassley and Senator Catherine Cortez Masto to Chairperson Jeanne Shaheen and Ranking Member Jerry Moran, Subcommittee on Commerce, Justice, Science, and Related Agencies, (Jul 12, 2024) [https://www.grassley.senate.gov/imo/media/doc/grassley\\_cortez\\_masto\\_to\\_shaheen\\_moran\\_-\\_fy24\\_cvf.pdf](https://www.grassley.senate.gov/imo/media/doc/grassley_cortez_masto_to_shaheen_moran_-_fy24_cvf.pdf); H.R.1968 - Full-Year Continuing Appropriations and Extensions Act, 2025, Title I- GENERAL PROVISIONS SEC 1101(a)(2) <https://www.congress.gov/119/bills/hr1968/BILLS-119hr1968eh.pdf>.

Accordingly, we strongly urge the new Trump Justice Department and the USAOs nationwide to keep victims and survivors of crime in mind when determining the structure of criminal fine payments in corporate DPAs, NPAs, and guilty plea agreements to ensure that the CVF receives adequate financial support. Without sufficient CVF resources, organizations across the U.S. that help survivors and victims of crime are at serious risk of reducing their services and potentially closing their doors. No later than April 21, 2025, please provide a response to include the strategy the Justice Department will take in these matters under your new leadership.

Thank you for your prompt attention. If you have any questions, please contact Brian Randolph and Silvia Symber of Chairman Grassley's Committee staff at (202) 224-5225.

Sincerely,



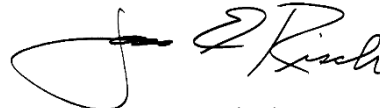
Charles E. Grassley  
Chairman  
Committee on the Judiciary



Joni K. Ernst  
United States Senator



Mike Crapo  
United States Senator



James E. Risch  
United States Senator

cc:

Maureen A. Henneberg  
Deputy Assistant Attorney General  
Office of Justice Programs