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Senators Seek Answers as \$33 Million in Epstein Settlement Funds Spent Without Clear Oversight

Senator Alma Francis Heyliger challenges Finance officials over who authorized the transfer of millions from the Epstein settlement, raising concerns over transparency and adherence to legislative appropriation rules.

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Disgraced and deceased financier, Jeffrey Epstein.

Following the settlement of lawsuits relating to Jefferey Epstein, the Government of the Virgin Islands stood to receive just over \$156 million for its use, out of a total settlement of \$254.7 million.

During Tuesday's meeting of the Senate Committee on Budget, Appropriations and Finance, Department of Finance Commissioner Kevin McCurdy gave lawmakers a breakdown of what has been spent thus far from the settlement funds. "Funds used for government operations is \$33.6 million, funds deposited into interest-bearing account currently is \$97.8 million. Remaining funds is \$25 million," he stated.

Senator Alma Francis Heyliger expressed some confusion on exactly which monies had been spent. "We were given a report from OMB – the majority of the money was specifically earmarked for specific things...so the bulk of the money, we couldn't spend it how we wanted to," she recalled. "Then we were told there is some \$55 million, roughly, that was open, and the Legislature had the authority to then earmark where those monies would go," the lawmaker continued. "Is that the open operating monies that you said you spent, because I know the Legislature earmarked those monies to go elsewhere, and I don't want to have any potential confusion."

Mr. McCurdy professed ignorance about sums of money that were topics of prior discussions. "There was \$33 million that was slated to go to the general fund. That went to the general fund and was utilized for governmental operations," he reiterated.

"Who authorized you to do that? That's what I'm trying to understand," countered Senator Francis Heyliger, noting that monies deposited in the general fund are subject to legislative appropriation. "I'm very concerned at the message that's being put out here on this floor today," the lawmaker continued.

"I'm not sure what the question is," Mr. McCurdy responded, repeating the information about the \$33 million transferred to the general fund and utilized for general fund operations. "That is my knowledge and that is what I know." Mr. McCurdy also evaded a question from Senator Kurt Vialet about where the authorization for that spending came from.

Eventually, committee chair Senator Novelle Francis received clarification from Mr. McCurdy that the money reserved for the legislature to allocate remained part of the \$97 million that was currently sitting in an interest-bearing account. Senator Francis Heyliger, however, was not convinced. "I have a strong feeling there's some overlap happening here," she said, requesting documentation "so we could verify exactly what all these monies were supposed to be split up for."

Later on in the discussion, Francis Heyliger returned to the question of whether the executive branch has been spending money absent legislative approval. She first asked Mr. McCurdy whether monies had been sent to "other entities" or "other countries that might have had issues during hurricanes."

"Not to my knowledge," the finance commissioner replied. Francis Heyliger then returned to the question of the Epstein funds.

"You're telling me that as the Commissioner of Finance, you on your own, picked up the Settlement Agreement document, read it, and decided on your own – or if you got a directive within the administration – to spend \$33 million of it? Is that what you're putting on the record?" the lawmaker asked Mr. McCurdy.

"No, I'm not putting that on the record...what I can do is review whatever I had at the time to make that decision," Mr. McCurdy responded. "I cannot tell you right now what happened."

Francis Heyliger drilled down further, continuing to question who exactly gave authorization for those funds to be spent. “There is a mechanism that allows me to spend money, that is authorization, either from this body, or from this body and then by the director of OMB,” Mr. McCurdy eventually offered, causing the lawmaker to pounce. “Well, we know this body didn't authorize you to do it,” Francis Heyliger remarked. “Are you saying that the director of OMB told you to spend this \$33 million?”

Once again, Mr. McCurdy retreated to the bare facts. “What I'm saying is \$33 million was spent for operations. I'm not saying anything else.”

Francis Heyliger was not amused. She referenced legislation in force that requires reporting from the Commissioner of Finance on “the use of all available and appropriated funds to date.” Mr. McCurdy could not confirm whether those reports had been submitted as required. “I can look into that,” he offered.

“The Legislature passed a law that gave you a directive to report to us, you're sitting here saying...you don't know, you have to go check, but then...you on your own up and spend \$33 million of this money...that we don't know nothing about,” Senator Francis Heyliger retorted.

Senator Novelle Francis indicated that the issue would be investigated by the legislature's legal advisors. “We have a different view on that, by the way,” he told Mr. McCurdy.