



April 2015

# VICTIMS OF CHILD ABUSE ACT

## Further Actions Needed to Ensure Timely Use of Grant Funds and Assess Grantee Performance

# GAO Highlights

Highlights of [GAO-15-351](#), a report to congressional committees

## Why GAO Did This Study

The Department of Justice's (DOJ) OJJDP, housed within the Office of Justice Programs (OJP), awarded about \$74 million in VOCA grants from fiscal years 2010 through 2013. VOCA grants are designed to help improve the investigation and prosecution of child abuse cases. Senate Report 113-78 included a provision for GAO to conduct a review related to the administration of OJJDP grant programs.

This report addresses the extent to which OJJDP (1) ensures the timely expenditure of VOCA grants and (2) assesses the performance of VOCA grantees. GAO analyzed OJJDP documentation—such as program guidelines, grantee progress reports, and expenditure data—from fiscal years 2010 through 2013. Additionally, GAO interviewed DOJ officials and the universe of VOCA grantees about their experiences with the program.

## What GAO Recommends

To ensure the effective administration of VOCA grant funds, GAO recommends, among other things, that OJP work with OJJDP to examine and address its administrative review processes to reduce delays in VOCA spending, establish and enforce a clear grant extension policy, and better align the VOCA performance measures with available data collection tools while also clarifying grantee reporting requirements. OJP concurred with our recommendations.

View [GAO-15-351](#). For more information, contact David C. Maurer at (202) 512-9627 or [MaurerD@gao.gov](mailto:MaurerD@gao.gov).

April 2015

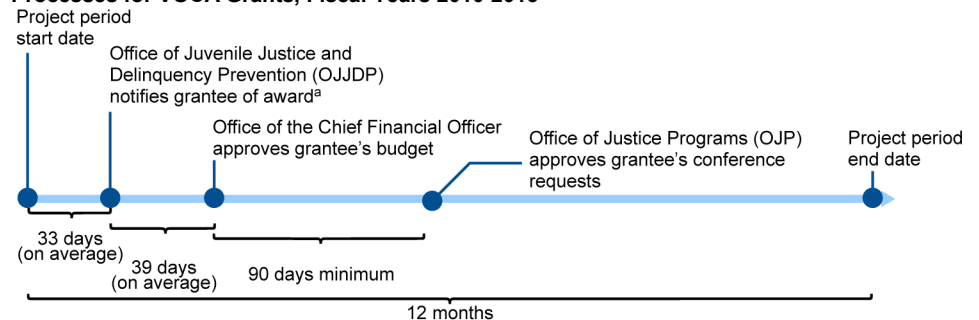
## VICTIMS OF CHILD ABUSE ACT

### Further Actions Needed to Ensure Timely Use of Grant Funds and Assess Grantee Performance

## What GAO Found

For the 28 Victims of Child Abuse Act (VOCA) grants the Office of Juvenile Justice and Delinquency Prevention (OJJDP) awarded from fiscal years 2010 through 2013, grantees expended less than 20 percent, on average, of each grant they received during the original 12-month project period. OJJDP has several administrative review and approval processes in place that have contributed to delays in grantees' ability to begin spending their funds. For instance, grantees cannot access their funds until OJJDP completes its internal review of grantees' budgets, a step that has taken more than 2 months, on average, after the project period began. Further, OJJDP's guidance on grant extensions is unclear and irregularly enforced. For example, one document states that generally only one extension per award is permissible, while another states that multiple extensions may be granted for up to a total of 5 years. OJJDP guidance further requires grantees to submit a narrative justification with their requests. However, OJJDP approved 72 of 73 extension requests from fiscal years 2010 through 2013 without such justification. Examining the delays associated with its administrative review processes and clarifying and enforcing the extension policy for VOCA grants would help OJJDP ensure the effective administration and timely use of grant funds.

#### Average Review Timeline for Selected Grant Requirements and Related Administrative Processes for VOCA Grants, Fiscal Years 2010-2013



Source: GAO analysis of Victims of Child Abuse Act (VOCA) grant information. | GAO-15-351

<sup>a</sup>The Assistant Attorney General for OJP is responsible for officially notifying applicants that they have received an award.

OJJDP does not have complete data to assess VOCA grantees' performance against the measures it has established. Specifically, OJJDP establishes performance measures in the VOCA grant solicitations and requires grantees to submit data on these measures. However, the performance measures it has established for the VOCA grant program do not fully align with the tools it has created to collect data for all OJJDP grants. Further, five of the six VOCA grantees reported that they have not received guidance on which measures to include in their required reports. Accordingly, grantees did not consistently report on the established performance measures as required. Better aligning the established VOCA performance measures with existing data collection tools and clarifying grantee reporting requirements would better ensure OJJDP has the data it needs to assess the effectiveness of the VOCA grant programs.

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# Contents

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Letter		1
	Background	4
	OJJDP Processes Do Not Provide Reasonable Assurance That VOCA Grant Funding Is Being Expended in a Timely Manner	10
	OJJDP's Performance Measures and Its Data Collection Methods Are Not Fully Aligned, Hindering Its Ability to Assess Grantee Performance	20
	Conclusions	23
	Recommendations for Executive Action	23
	Agency Comments and Our Evaluation	24
Appendix I	Use of Victims of Child Abuse Act Grant Funds for Executive Compensation	27
Appendix II	Victims of Child Abuse Act (VOCA) Grant Recipients and Funding, Fiscal Years 2010 through 2013	31
Appendix III	Administrative Processes and Overlap of Victims of Child Abuse Act Grant Funds Awarded in Fiscal Years 2010 - 2013	32
Appendix IV	Comments from the Department of Justice	35
Appendix V	GAO Contact and Staff Acknowledgments	39
Tables		
	Table 1: Instances of Irregular Enforcement of Office of Juvenile Justice and Delinquency Prevention's (OJJDP) Guidelines for Grant Extension Requests from Victims of Child Abuse Act (VOCA) Grantees Funded from Fiscal Years 2010 through 2013	16
	Table 2: Average Annual Employee Salaries among Victims of Child Abuse Act (VOCA) Grantees, from Fiscal Years 2010 through 2013	29

Table 3: Victims of Child Abuse Act (VOCA) Grant Programs, Recipients, and Funding, Fiscal Years 2010 through 2013	31
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## Figures

Figure 1: Illustration of the Interaction between Key Entities in the National Children's Advocacy Center (CAC) Network	5
Figure 2: Average Review Timeline for Selected Grant Requirements and Related Administrative Processes for VOCA Grants, Fiscal Years 2010-2013	11
Figure 3: Unexpended Grant Balances for All Victims of Child Abuse Act (VOCA) Grant Awards, by Fiscal Year, When the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Awarded Subsequent Fiscal Year (FY) Funding	19
Figure 4: Analysis of Grantees' Inclusion of Performance Measures Outlined in the Grant Solicitation for the Fiscal Year (FY) 2012 VOCA Grant Programs <sup>a</sup>	21
Figure 5: Timeline of Administrative Processes and Overlap of Victims of Child Abuse Act (VOCA) Grant Funds Awarded in Fiscal Years 2010–2013	33

## Abbreviations

CAC	Children's Advocacy Center
DCTAT	Data Collection and Technical Assistance Tool
DOJ	Department of Justice
FY	fiscal year
NCA	National Children's Alliance
OCFO	Office of the Chief Financial Officer
OJJDP	Office of Juvenile Justice and Delinquency Prevention
OJP	Office of Justice Programs
OMB	Office of Management and Budget
SES	Senior Executive Service
VOCA	Victims of Child Abuse Act

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April 29, 2015

## Congressional Committees

From fiscal years 2010 through 2013, the Department of Justice's (DOJ) Office of Juvenile Justice and Delinquency Prevention (OJJDP) awarded about \$74 million in grants for programs established in response to the Victims of Child Abuse Act (VOCA), through five distinct solicitations.<sup>1</sup> These VOCA grant programs are among the more than 40 discretionary grant programs that OJJDP administers.<sup>2</sup> The VOCA programs are designed to help improve the investigation and prosecution of child abuse cases, largely by providing funding, training, and technical assistance to Children's Advocacy Centers (CAC) throughout the nation. CACs are child-friendly facilities in which law enforcement, child protection, prosecution, mental health, medical, and victim advocacy professionals work together to investigate abuse, help children heal from abuse, and hold offenders accountable. In 2014, there were 777 CACs nationwide that collectively served about 322,000 child victims of physical and sexual abuse. OJJDP has traditionally awarded the VOCA grants to large national and regional nonprofit organizations, which are charged with providing training and technical assistance to local CACs and state chapters—organizing bodies for CACs within states.

The Senate committee report accompanying the Departments of Commerce, Justice, Science, and Related Agencies' Appropriations Bill, 2014, included a provision for GAO to conduct a review related to the

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<sup>1</sup>OJJDP awarded an additional \$15.6 million under these five solicitations in fiscal year 2014. According to OJJDP officials, these five solicitations are authorized under subtitle A of the Victims of Child Abuse Act of 1990, Pub. L. No. 101-647, §§ 211-214, 104 Stat. 4789, 4792-94 (codified as amended at 42 U.S.C. §§ 13001-04). OJJDP's administration of the VOCA programs generally aligned with these statutory provisions.

<sup>2</sup>Federal financial assistance programs provide funding pursuant to statutory authorization through formula grants, discretionary grants, cooperative agreements, and other payment programs, but are all generally referred to as grants. Discretionary grants are usually awarded on the basis of a competitive selection process.

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administration of OJJDP grant programs.<sup>3</sup> In response to this provision, we reviewed the extent to which OJJDP

1. ensures the timely expenditure of VOCA grant funding, and
2. assesses the performance of VOCA grantees.

The Senate committee report also included a provision for GAO to address grant recipients' use of grant funds for executive compensation. We have included information on DOJ's executive compensation policies in appendix I. To prepare this appendix, we evaluated VOCA grant recipients' compliance with DOJ's policy by analyzing their budgeted salary expenditures from fiscal years 2010 through 2013.

To assess the extent to which OJJDP ensures the timely expenditure of VOCA grant funding, we analyzed DOJ documentation—such as the *Office of Justice Programs (OJP) Financial Guide*,<sup>4</sup> VOCA grant solicitations, and award letters—to determine what requirements govern the expenditure of VOCA grant funds. OJJDP awarded 28 new or continuing VOCA grants and 3 supplemental VOCA grants from fiscal years 2010 through 2013, the 4 most recently completed grant years.<sup>5</sup> We did not review fiscal year 2014 VOCA grant awards because these grants are not scheduled to close until September 30, 2015. We analyzed VOCA expenditure data for these 31 VOCA grants in comparison with the stated requirements. We evaluated expenditures for these grants through September 30, 2014, the original end date of the fiscal year 2013 grants. We assessed the reliability of the expenditure data by interviewing officials responsible for maintaining the data and by conducting manual testing, and determined that the data were sufficiently reliable for our

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<sup>3</sup>See S. Rep. No 113-78 at 94-95. We focused on the VOCA grant programs, in consultation with your offices.

<sup>4</sup>OJJDP is one of the multiple offices and bureaus within OJP. OJP provides federal leadership in developing the nation's capacity to prevent and control crime, administer justice, and assist crime victims. The *OJP Financial Guide* serves as the primary reference manual to assist award recipients in fulfilling their fiduciary responsibility to safeguard grant funds and ensure funds are used for the purposes for which they were awarded. It compiles a variety of laws, rules, and regulations that affect the financial and administrative management of DOJ awards.

<sup>5</sup>For new and continuing grants, OJJDP assigns a unique grant number and project period start date. In contrast, supplemental grants provide additional funding to an already existing grant, and are assigned the same grant number and project period start date as the original award.

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purposes. We also analyzed the amount of time it took VOCA grantees to satisfy necessary DOJ administrative requirements in order to begin expending grant funds. For this analysis, we excluded the three supplemental awards because these awards did not have unique project start dates. Finally, we analyzed documentation on grant extensions awarded to VOCA grantees, and compared these granted extensions against the guidelines outlined in the *OJP Financial Guide* and the *OJP Grant Manager's Manual*.<sup>6</sup> We also conducted interviews with all six VOCA grant recipients;<sup>7</sup> with officials from OJP's Offices of the Chief Financial Officer and Audit, Assessment, and Management, and with OJJDP officials responsible for managing the VOCA grant programs to determine what challenges, if any, VOCA grantees face in expending their grant awards in a timely manner.

To determine the extent to which OJJDP assesses the performance of VOCA grantees, we first reviewed the fiscal year 2012 VOCA grant solicitations to identify the performance measures that OJJDP established for each of the 5 VOCA grant programs in our review. We then analyzed the submission of performance data from all fiscal year 2012 VOCA grant recipients through their semiannual progress reports and compared this information with the performance measures contained in the VOCA grant solicitations. We also interviewed the OJJDP Performance Measures Planning Coordinator and the VOCA grant programs manager to determine how these officials use performance data to evaluate grantee performance. Finally, we interviewed all VOCA grantees to ascertain their experiences with reporting performance data on their grant awards.

We conducted this performance audit from July 2014 to April 2015 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that

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<sup>6</sup>The *OJP Grant Manager's Manual* documents policies and procedures for the administration and management of all OJP grant programs with the objective of setting a standardized process for grant processing and management. Included in this manual are policies, guidelines, and instructions for performing specific activities associated with all stages of the grants management process.

<sup>7</sup>Two of these grantees—the National Children's Alliance and the National Children's Advocacy Center—received two VOCA awards annually under two distinct solicitations from fiscal years 2010 through 2013.

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the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## Background

### Children's Advocacy Center Network

The Children's Advocacy Center model was developed in the 1980s to improve the response to child abuse. CACs are designed to coordinate a multidisciplinary response to child abuse and reduce the additional stress on child abuse victims and families created by the investigation process. CACs provide a centralized child-friendly environment in which children and families receive services and support from multiple professionals (e.g., law enforcement officers, child protective services investigators, prosecutors, and mental health and medical providers). Nationwide, 777 CACs were operating in all 50 states and the District of Columbia as of 2014. As shown in figure 1, these local CACs receive support from the following larger organizations within the national CAC network:

- **National Children's Alliance (NCA)**—NCA is a not-for-profit membership organization for CACs whose mission is to promote and support communities in providing a coordinated investigation and comprehensive response to child victims of abuse. NCA is the accrediting body for CACs and state chapters. NCA sets national standards for CACs and provides training, technical assistance, funding, and other support to state chapters and local CACs.
- **Regional CACs**—In 1992, amendments to VOCA established the Regional CAC Program—with one regional CAC in each of the four U.S. Census regions. The regional CACs provide training, technical assistance, and other support to state chapters and local CACs. The regional CACs and NCA work collaboratively to develop and improve CACs across the country. Each regional CAC is hosted by a local CAC. The current hosts are the Philadelphia Children's Alliance (Northeast Regional CAC), the National Children's Advocacy Center (Southern Regional CAC)<sup>8</sup>, CAC of the Pikes Peak Region (Western Regional CAC), and Children's Health Care (Midwest Regional CAC), although the hosts have changed since the program began in 1995.

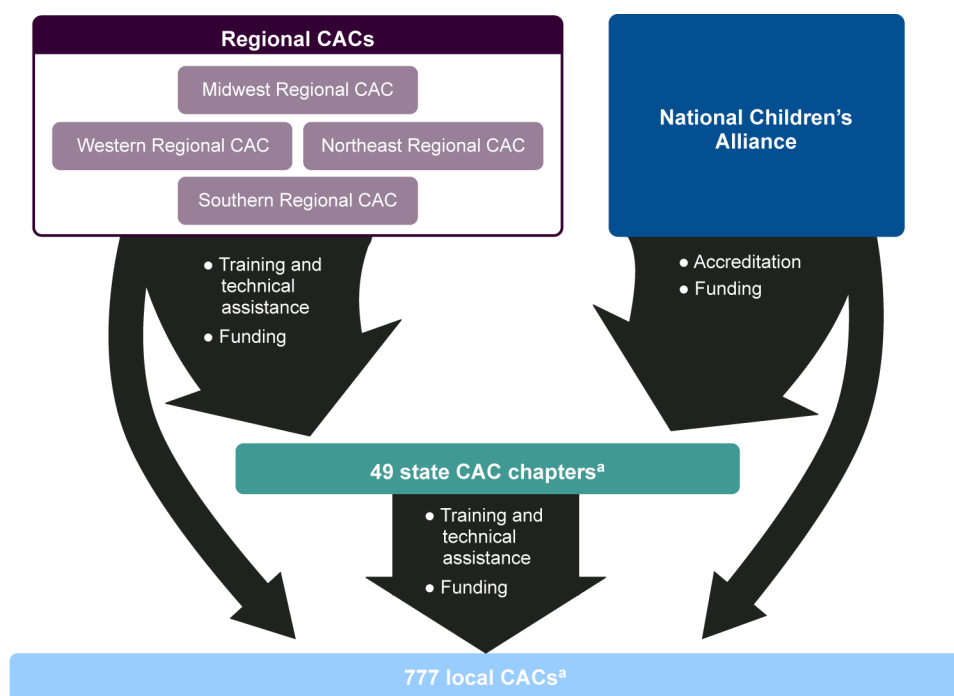
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<sup>8</sup>The National Children's Advocacy Center, located in Huntsville, Alabama, was the first Children's Advocacy Center.



- **State chapters**—Forty-nine states have chapters that are accredited by NCA. State chapters assess child abuse trends and victims' needs within their state. They work with the regional CACs and NCA to provide training and technical assistance that meets the specific needs of CACs within their state. Both the regional CACs and NCA pass through part of their VOCA grant awards to state chapters.

**Figure 1: Illustration of the Interaction between Key Entities in the National Children's Advocacy Center (CAC) Network**



Source: GAO analysis of Victims of Child Abuse Act (VOCA) grant solicitations and grantee documentation. | GAO-15-351

<sup>a</sup>As of December 31, 2014.

## Overview of VOCA Grant Programs and Grantees

From fiscal years 2010 through 2013, OJJDP awarded about \$74 million in funding under the following five VOCA grant programs established in response to the Victims of Child Abuse Act.<sup>9</sup> Annual funding ranged from about \$23 million in fiscal year 2010 to about \$16 million in fiscal year 2013 (see app. II for annual funding awarded under each program).

<sup>9</sup>See 42 U.S.C §§ 13001-04.

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- **Children’s Advocacy Center Subgrant Program**—The largest of the VOCA grant programs, the CAC Subgrant Program funds a national grant program designed to support CACs nationwide. Since the program’s inception, OJJDP has exclusively awarded this grant to NCA. The average annual award amount from fiscal years 2010 through 2013 was \$10.6 million. NCA largely passes this funding through to the 49 state CAC chapters. The funding amount differs by state, but on average, NCA provided each state chapter with an annual award of \$177,000 from fiscal years 2010 through 2013. The state chapters use some of this funding to support basic operational expenses, and they also further pass through the funds to local CACs. NCA also makes a selected number of awards directly to local CACs.
  - **Regional CAC Program**—This program supports the four regional CACs, which are exclusively funded through the VOCA grant.<sup>10</sup> From fiscal years 2010 through 2013, OJJDP awarded an average of \$1.2 million annually to each regional CAC. The regional CACs use this funding to provide training and technical assistance to existing and developing CACs and state chapters. Each of the regional CACs subawards a portion of its grant funds. From fiscal years 2010 through 2013, the regional CACs subawarded an average of 13 percent of their VOCA grants each year. Primarily, these subawards took the form of annual chapter support grants to the state CAC chapters. These subawards averaged about \$7,000, and were often designated for specific expenses related to training and technical assistance.
  - **CAC Membership and Accreditation Program**—Also awarded exclusively to NCA, this program provides funding to support NCA’s role as a national membership and accreditation organization for CACs and to enable the development and implementation of accreditation standards. The average annual award amount from fiscal years 2010 through 2013 was \$886,000.
  - **Training and Technical Assistance for Child Abuse Prosecutors**—Awarded exclusively to the National District Attorneys Association, this program funds a national training and technical assistance program to enhance the effectiveness of attorneys and others who investigate and prosecute child abuse cases. From fiscal

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<sup>10</sup>One regional CAC grantee also received a one-time subaward from non-VOCA funds in 2010 used to support its online training program.

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years 2010 through 2012, OJJDP awarded an annual average of \$1.5 million to the National District Attorneys Association. OJJDP did not make an award under this program in fiscal year 2013.

- **Training and Technical Assistance for Child Abuse Professionals**—Awarded exclusively to the National Children’s Advocacy Center, this program provides funding for the development and implementation of training and technical assistance for child abuse professionals in order to improve the judicial system’s handling of child abuse and neglect cases and the coordinated multidisciplinary investigation of and response to child abuse. From fiscal years 2010 through 2013, OJJDP awarded an annual average of \$800,000 to the National Children’s Advocacy Center for this program.

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## Overview of VOCA Grant Cycle

**OJJDP releases VOCA grant solicitations and interested parties apply**—OJJDP awards funding under each of the five VOCA programs through a competitive application process. OJJDP outlines the application process in an annual grant solicitation—the formal announcement of a new funding opportunity and a call for applications. The solicitation also provides applicants with key information about the grant program, such as eligibility requirements, allowable costs, and performance measures. Although VOCA grants are awarded annually, applicants only compete for funding every 3 years. Successful applicants are awarded 12 months’ worth of funding during the initial competition year, and are then invited to apply for two additional 12-month grants under continuation solicitations.<sup>11</sup> The Regional CAC Program solicitation was last competed in fiscal year 2013, and the other four solicitations were last competed in fiscal year 2012. In the past, there has been limited competition for these grant programs.<sup>12</sup>

- **OJJDP uses a peer review process to evaluate applications**—OJJDP uses a peer review process to evaluate applications when more than one qualified grant application is submitted. The peer

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<sup>11</sup>Prior to 2009, competition occurred every 5 years, and grantees could apply for 4 years of continuation funding. OJP officials stated that most grant programs were transitioned to a 3-year competition cycle as part of OJP’s effort to improve grant management processes and enhance accountability and transparency.

<sup>12</sup>Across the last 2 years of competition, one training and technical assistance grant program had 3 applicants meeting the basic requirements of the solicitation. For all other programs, there were two or fewer qualified applications each year.

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review panel consists of three or more program-area experts (internal or external to DOJ) who review and score applications based on the criteria outlined in the grant solicitation. The peer reviewers' evaluations are reviewed by the grant manager, who then writes a funding recommendation memo. The peer review process serves an advisory function, as DOJ retains the final decision regarding funding. According to OJJDP officials, in noncompetitive years, this peer review process is not used, since only existing grantees are eligible for continuation funding. Instead, applications are reviewed by a program manager and OJP's Office of the Chief Financial Officer (OCFO) to ensure solicitation requirements are met and that the grantee is in good financial standing.<sup>13</sup>

- **OCFO must approve grantee budgets**—Once DOJ has selected the applicants to receive funding, OCFO must review and approve the proposed project budgets that grantees submit with their application packets before the grantees can begin expending their funds.<sup>14</sup> In consultation with OJJDP, OCFO reviews the budget to ensure that project costs are accurately explained, and to determine whether costs are reasonable, necessary, and allowable under applicable federal cost principles, agency regulations, and solicitation guidelines.
- **Grantees must comply with several reporting requirements**—During the grant performance period, OCFO and OJJDP are responsible for financial and programmatic monitoring of VOCA grantees. To accomplish this oversight, and in accordance with Office of Management and Budget (OMB) guidance, grantees must submit the following periodic reports:
  - **Federal financial reports**—Filed quarterly, these reports provide information on grant funds expended and remaining.
  - **Semi-annual progress reports**—Filed semiannually, the progress reports include both narrative information and quantitative performance measures.

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<sup>13</sup>The Assistant Attorney General for the Office of Justice Programs must approve these noncompetitive solicitations prior to the invitation of applications.

<sup>14</sup>Specifically, OCFO officials review the proposed budget detail worksheets and budget narratives that grantees submit with their applications.

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- **Narrative progress reports**—VOCA grantees must submit a narrative progress report that outlines the grant activities completed during the reporting period.
  - **Data Collection and Technical Assistance Tool (DCTAT)**—In conjunction with the narrative progress reports, VOCA grantees are to electronically input quantitative performance data using OJJDP's DCTAT, a standardized reporting tool that all OJJDP grantees use.
  - **Grantees must expend funds within the project period or obtain a no-cost grant extension**—VOCA grantees have a 12-month project period in which to expend their grant funds. If grant funds remain unexpended at the end of the project period, they are returned to OJJDP<sup>15</sup> unless OJJDP provides the grantee with a no-cost grant extension.<sup>16</sup>

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<sup>15</sup>VOCA funds are appropriated as no-year budget authority, meaning that the funds remain available for obligation for an indefinite period of time. As such, any VOCA grant funds returned to OJJDP are generally available to be reobligated for the same purpose as the original funds. However, DOJ's annual appropriations have routinely included rescissions—enacted legislation that cancels the availability of budget authority previously enacted before the authority would otherwise expire—that require a certain amount of unobligated funds to be returned to the general fund of the Department of the Treasury. Once the rescission target is met, any remaining unobligated funds would be available for reobligation for the same purpose as the original funds.

<sup>16</sup>No-cost grant extensions provide grantees additional time to complete the scope of work of their project without additional funding. OJP grantees apply for no-cost grant extensions using a Grant Adjustment Notice in OJP's Grant Management System. All extension requests are initially approved by the grant program manager, submitted to the program manager's supervisor for approval, and then submitted to OCFO.

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## OJJDP Processes Do Not Provide Reasonable Assurance That VOCA Grant Funding Is Being Expended in a Timely Manner

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### OJJDP's Administrative Processes Contribute to Delays in Grantees' Expenditure of VOCA Funds; Current Project Period May Be Unrealistic

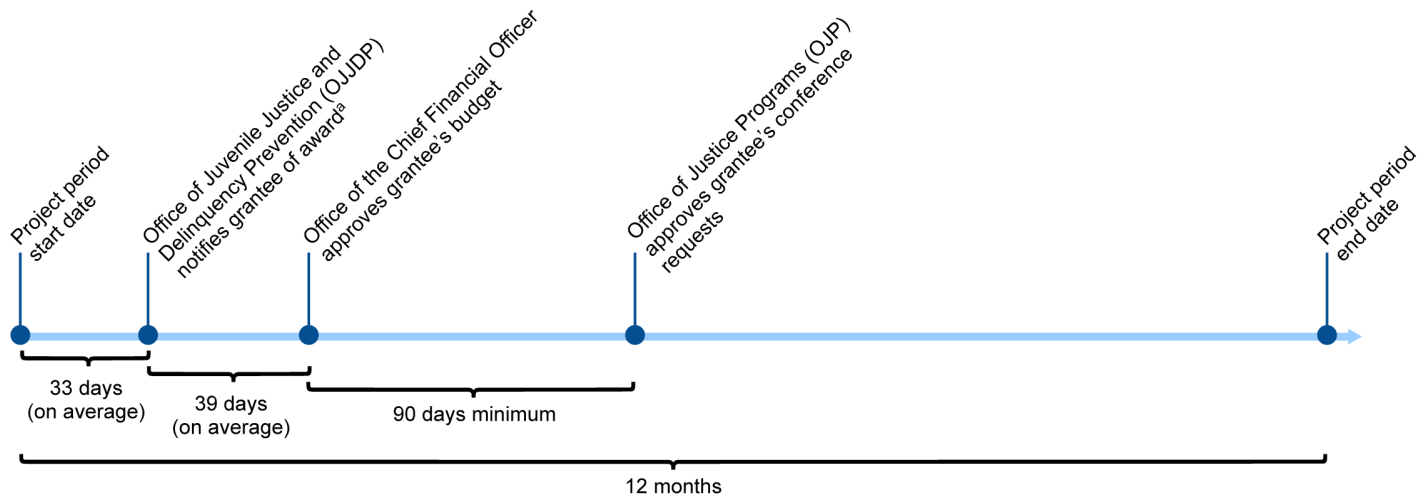
OJJDP has several administrative review and approval processes in place that have contributed to delays in VOCA grantees' ability to begin spending their funds,<sup>17</sup> and OJJDP may have set an unrealistic project period in light of the time it takes to complete these processes. We found that none of the VOCA awards included in our review was fully expended at the end of the original 12-month project period. Specifically, for the 28 VOCA awards included in our review, we found that grantees had expended an average of 18.4 percent of their award by the end of their original 12-month project period.

We identified several grant requirements and related administrative processes that delayed when VOCA grantees were able to begin expending their grant funds. Specifically, as shown in figure 2, we identified three main sources of delay for VOCA grants that OJJDP awarded from fiscal years 2010 through 2013: (1) project period start date and award notification, (2) budget approval, and (3) conference cost approval.

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<sup>17</sup>OJJDP administers the VOCA grant program, but some of the administrative review and approval processes discussed in this section of the report are governed by OJP.

**Figure 2: Average Review Timeline for Selected Grant Requirements and Related Administrative Processes for VOCA Grants, Fiscal Years 2010-2013**



Source: GAO analysis of Victims of Child Abuse Act (VOCA) grant information. | GAO-15-351

<sup>a</sup>The Assistant Attorney General for the Office of Justice Programs (OJP) is responsible for officially notifying applicants that they have received an award.

- Project period start date and award notification**—As shown in figure 2, OJJDP notified grantees that they had been selected to receive VOCA awards—and officially obligated the federal funds—33 days, on average, after the start of the project period for VOCA grants OJJDP awarded from fiscal years 2010 through 2013.<sup>18</sup> However, we identified variation in the average length of time between the project period start date and the award notification date across the grant years we reviewed. Specifically, for fiscal years 2010 through 2012, the project period start date was August 1, and OJJDP notified grantees of their award an average of 41 days after the project period start date. OJJDP does not obligate award funds to grantees until OJJDP makes this award notification, and accordingly, VOCA grantees in these years were, on average, unable to expend grant funds for more than a month out of their 12-month project period.<sup>19</sup> Beginning in fiscal year 2013, OJP changed the project period start

<sup>18</sup>OJJDP sets the project period start date irrespective of grantee selection.

<sup>19</sup>Even when the award notification date fell after the project period start date, grantees could still request reimbursement for allowable expenses that they incurred before the award notification date but after the project period start date.

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date for all of its awards from August 1 to October 1.<sup>20</sup> As in prior years, OJJDP notified selected VOCA grantees of their award in late August or in September, but this notification now took place an average of 14 days before the project period start date. OJJDP retained the October 1 project period start date for fiscal year 2014 VOCA awards. OJJDP officials stated that notifying grantees before the project period start date—as was done in fiscal years 2013 and 2014—is ideal because it maximizes the amount of time within the 12-month project period when grantees have access to their awarded grant funds.

- **Budget approval**—Before VOCA grantees can begin expending their grant funds, they must also wait until OCFO has reviewed and given final approval to the project budget that they submitted with their application packets. This budget review process took 39 days from the date award notification was made, or 72 days from the project period start date, on average, for fiscal years 2010 through 2013. OCFO officials told us that they strive to complete this budget review before OJJDP notifies applicants that they will receive an award, but that this rarely happens because of the timing of the congressional appropriations process and other relevant procedural factors, such as when the solicitation is posted, the duration of the peer review process, and the total volume of budgets that OCFO has to review across the universe of OJJDP grant programs. After the program office reviews the applications internally to ensure that the budgets align with the programmatic goals of the VOCA program, OJJDP passes the budgets on to OCFO, which reviews the budgets to ensure compliance with federal financial regulations. OCFO officials can begin their preliminary budget review upon receipt of the budgets from the program office, but they cannot finalize their budget review process until DOJ receives its annual appropriation<sup>21</sup>—the timing of which varies by year—and OJJDP finalizes available award amounts

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<sup>20</sup>Grant program managers and OJJDP administration retain the ability to set the project period start date earlier than October 1, if appropriate.

<sup>21</sup>The budget review process includes a period after enactment of appropriations—usually 45 days—during which DOJ must submit a spend plan to the House and Senate Appropriations Committees. Spend plans generally list how DOJ plans to obligate its new appropriations by program, project, and activity. Though DOJ is not legally required to wait until spend plan approval to obligate its appropriations, DOJ officials stated that DOJ has decided as an agency that it will not proceed until DOJ and the congressional committees have reached mutual agreement on the spend plan.



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based on this appropriation.<sup>22</sup> Once OJJDP notifies grantees of their award amounts, and OCFO provides final budget clearance, grantees are able to begin expending their grant funds.<sup>23</sup>

As with the award notification process, we identified year-to-year variation in the length of the budget review process. For example, budget approval took 11 days for fiscal year 2011 VOCA awards and 71 days for fiscal year 2012 VOCA awards, on average, from the award notification date.<sup>24</sup> The OCFO officials we spoke with could not explain the specific reasons for this variation, but noted that, generally, OCFO's ability to approve grantees' budgets in a timely manner depends, in part, on the volume of grantee budgets OCFO is reviewing at any given time.

- **Conference cost approval**—DOJ requires, in accordance with OMB guidance, that grantees obtain pre-approval before incurring conference expenses.<sup>25</sup> Through its *OJP Financial Guide*, OJP broadly defines conferences to include meetings, retreats, seminars, symposia, events, and group training activities. OJP officials stated that DOJ established this preapproval requirement in October 2011 following a September 2011 DOJ Office of the Inspector General audit

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<sup>22</sup>According to OCFO officials, the VOCA program typically releases grant solicitations before DOJ receives its final appropriation. In these cases, the solicitation contains the approximate amount of grant funds that OJJDP anticipates it will be able to award. However, once OJJDP has finalized its budget following the enacted appropriation, the actual amount that OJJDP is able to award may differ from what was contained in the solicitation and the amount for which grantees applied. In these cases, grantees must work with OJJDP and OCFO to submit a revised budget that aligns with the actual amount of available grant funding.

<sup>23</sup>In some cases, such as when the grantee is designated as high risk, grantees may need to satisfy additional special conditions before they are eligible to expend their grant funds. Grantees may also need to satisfy other withholding special conditions such as the submission of delinquent audit reports, among other conditions.

<sup>24</sup>These calculations include negative numbers indicating, for example, that OJP approved a grantee's budget in advance of issuing the award notification letter or in advance of the project period start date.

<sup>25</sup>On September 21, 2011, OMB issued a memorandum instructing all agencies and departments to conduct a thorough review of the policies and controls associated with conference-related activities and expenses. See OMB, *Eliminating Excess Conference Spending and Promoting Efficiency in Government*, OMB Memorandum M-11-35 (Washington, D.C.: 2011). On May 11, 2012, OMB clarified the instructions for the conference cost approval process. See OMB, *Promoting Efficient Spending to Support Agency Operations*, OMB Memorandum M-12-12 (Washington, D.C.: 2012).

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that found that some DOJ components had not minimized conference costs as required by federal and DOJ guidance.<sup>26</sup>

When the conference cost requirement was first implemented, in October 2011, OJJDP officials stated that review and approval of conference cost requests took as long as 5 to 6 months. However, DOJ has subsequently made changes to reduce the amount of time it takes to review and approve conference cost requests. For example, according to OJP officials, DOJ released an official policy in July 2012 outlining the requirements for conference cost approval submissions and also instituted a more streamlined approval process for requests under \$100,000. Additionally, OJP officials noted that OCFO developed improved software solutions and provided grantees the opportunity to submit blanket requests for approval of multiple events that are similar in nature and scope. OJP officials stated that approval now generally takes about 2 to 3 months, and a VOCA grantee stated that the process has improved since the requirement was first implemented.

While these improvements have reduced the conference cost review and approval time, OJJDP officials acknowledge that the conference cost approval submission requirement has hindered grantees' ability to expend grant funds within the allotted 12-month project period, and VOCA grantees confirmed this. Specifically, DOJ requires grantees to submit planned expenses associated with training and conferences for preapproval at least 90 days before the event is to take place.<sup>27</sup> Further, OJJDP officials stated that in order for a grantee to have enough time to finalize the event logistics, notify attendees, and make other necessary arrangements following DOJ approval of the grantee's request, the grantee really needs to submit its conference cost approval request about 6 months before the event is to take place. This would provide the grantee with about 3 months to finalize the event once DOJ had approved the request. VOCA grantees cannot submit these conference cost approval requests to DOJ until OCFO has approved their grant project budgets—a process that has

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<sup>26</sup>U.S. Department of Justice Office of the Inspector General, Audit Division, *Audit of Department of Justice Conference Planning and Food and Beverage Costs*, Audit Report 11-43 (Washington D.C.: September 2011).

<sup>27</sup>In some cases, such as when conference costs exceed \$100,000, these requests must be submitted a minimum of 120 days in advance of the start date.

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taken more than 2 months, on average, from the project period start date, as discussed above. Accordingly, one VOCA grantee reported being unable to conduct training and conference activities for the first 6 to 7 months of the grant's 12-month project period. VOCA grantees reported that complying with the preapproval requirement has hindered their ability to expend grant funds because they are not able to hold any conference or training events—a key purpose of their grants—during the initial months of their grant project period while they are awaiting pre-approval. One VOCA grantee reported having to cancel a planned training event because DOJ did not approve the request in time, another grantee stated that the conference cost approval process creates a lot of work for both the grantee and DOJ and makes it more difficult to expend grant funds, while another grantee stated that the process hinders its ability to provide training and technical assistance, which are key grant program goals and objectives.

Despite efforts to reduce these sources of delay, the administrative requirements described above continue to contribute to challenges in VOCA grantees' ability to fully expend their grant awards within the original 12-month project period that OJJDP has established in the VOCA grant solicitations. Grantees also commit to fully expending their funds in 12 months when outlining their budget and project plans in their grant applications. However, because we found that VOCA grant activities are not being completed within the time parameters OJJDP established for the grant program, this may affect the ability of grantees to complete their grant goals and objectives. The *OJP Grant Manager's Manual* states that program managers are responsible for setting a realistic project period that accounts for the true length of projects to ensure that the grantee has the full project period to complete activities and draw down funds, thereby minimizing the need for no-cost extensions. According to OJP officials, the selection of the VOCA grants' project period length is an OJJDP policy decision. OJJDP officials stated that they have always had a 12-month project period in place for VOCA awards because funding for VOCA is appropriated on an annual basis and OJJDP expects the grant award to cover 12 months of expenses. However, in the event that OJJDP is unable to further expedite the administrative review and approval processes discussed above, it would benefit from reexamining whether 12 months is an appropriate project period length to ensure that VOCA grantees are well positioned to fully expend their grant funds. Such an assessment would help ensure that the project period length is realistic in light of the irrevocable administrative delays.

OJJDP’s Guidance on Extensions Is Irregularly Enforced and Inconsistent

OJJDP routinely approved VOCA grantees’ requests for no-cost grant extensions, but often did so without adhering to extension approval guidelines, which we found to be inconsistent. By the end of fiscal year 2014, 15 of the 28 VOCA awards we included in our review had been fully expended. Among these 15 VOCA awards, OJJDP approved an average of 3 extensions per award, which extended the award for a total of 18 months, on average, beyond the initial 12-month project period. Specifically, we found that OJJDP had approved all 73 extensions requested by grantees across the 28 VOCA awards included in our review, but often did so without adhering to guidance established in the *OJP Financial Guide*, as shown in table 1. For example, the *OJP Financial Guide* requires that grantees submit a narrative outlining both the extraordinary circumstances that would justify the proposed extension and the effect a denial of the request would have on the project or program. However, of the 73 grant extension requests OJJDP approved from fiscal years 2010 through 2013, 72 did not contain such a narrative. Further, while the *OJP Financial Guide* states that generally only 1 extension per award will be permitted, of the 73 extension requests that OJJDP approved, 45 extended the award more than once. Finally, while the *OJP Financial Guide* states that the maximum extension allowable is generally 12 months, OJJDP approved extensions for 3 awards that were longer—1 for 13 months and 2 for 17 months.

**Table 1: Instances of Irregular Enforcement of Office of Juvenile Justice and Delinquency Prevention’s (OJJDP) Guidelines for Grant Extension Requests from Victims of Child Abuse Act (VOCA) Grantees Funded from Fiscal Years 2010 through 2013**

<b>Selected guidance in the <i>OJP Financial Guide</i> for approving no-cost grant extensions</b>	<b>Number of extensions OJJDP approved that did not adhere to established guidance (N = 73)</b>
Grant recipients must submit a narrative justification that outlines the extraordinary circumstances that require the proposed extension and the effect a denial would have on the project or program.	72 <sup>a</sup>
Generally, only one extension per award will be permitted.	45
The maximum extension allowable for any project period is generally 12 months.	3

Source: GAO analysis of Office of Justice Programs (OJP) *Financial Guide* guidance on extensions and extension requests filed by VOCA grantees.

<sup>a</sup>Some extension requests did satisfy part of this guideline. For example, we found that 10 requests outlined the extraordinary circumstances that require the proposed extension. However, only 1 request included a narrative outlining both the extraordinary circumstances and the effect of a denial.

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We also found that OJP does not have clear and consistent guidance for when a grant extension should be approved. In addition to the guidelines contained in the *OJP Financial Guide*—as outlined above in table 1—the *OJP Grant Manager’s Manual* also contains guidance on extensions. In at least one instance, the guidance within these two documents is inconsistent. For example, the *OJP Grant Manager’s Manual* states that grant awards are eligible to be extended for up to 12 months at a time for up to 5 years in total. However, the *OJP Financial Guide* states that, generally, only one extension per award should be granted, and that, generally, the maximum allowable extension is for 12 months. The VOCA program manager told us that when approving more than one extension on the same award, she follows the *OJP Grant Manager’s Manual*, and that she was not familiar with the guidance in the *OJP Financial Guide* that states that grant awards should generally be extended only once.

According to OCFO officials, the *OJP Financial Guide* represents the general guidelines and preferences for no-cost extensions but allows OJP the flexibility, if needed, to grant extensions outside of those general guidelines. Further, OCFO officials stated that the guidance in the *OJP Grant Manager’s Manual* represents the upper limit on the flexibility that OJP is afforded in the *OJP Financial Guide*. We have previously reported on instances in which DOJ grant guidance was inconsistent, and we stressed the importance of establishing mutually reinforcing strategies and harmonizing program requirements to ensure consistency.<sup>28</sup> Further, *Standards for Internal Control in the Federal Government* states that information should be communicated to management in a form that enables management to carry out its responsibilities.<sup>29</sup> Without clear guidance on the circumstances and requirements for approving no-cost extension requests, the VOCA program manager cannot ensure that she is consistently adhering to the relevant requirements.

In combination with the administrative process delays described earlier, OJJDP’s routine extension of VOCA grants’ project periods—made without adherence to stated guidance—has led VOCA grantees to

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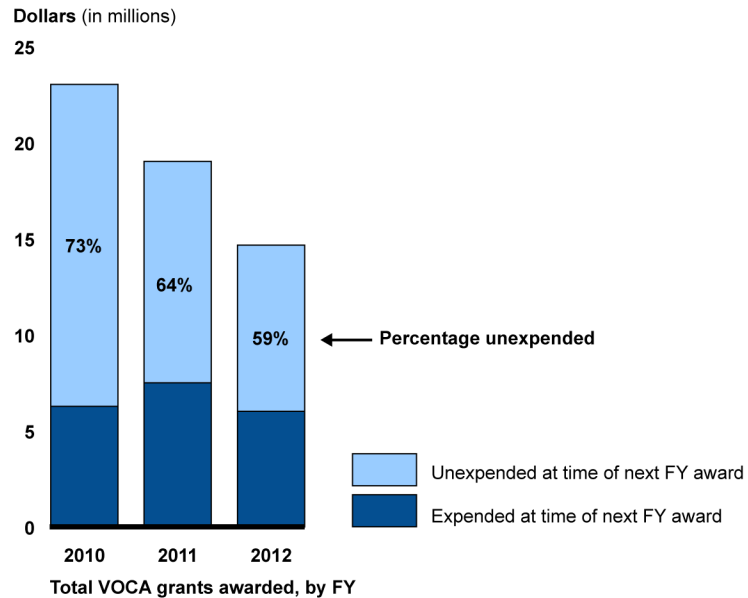
<sup>28</sup>GAO, *Law Enforcement Body Armor: DOJ Could Enhance Grant Management Controls and Better Ensure Consistency in Grant Program Requirements*, [GAO-12-353](#) (Washington, D.C.: Feb. 15, 2012).

<sup>29</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO/AIMD-00-21.3.1](#) (Washington, D.C.: November 1999).

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maintain unexpended balances from prior-year grants while continuing to receive new grant awards from OJJDP. Some VOCA grantees also reported expending past years' grant funds conservatively to ensure that grant funds would be available to expend as they awaited administrative clearance of their current-year award. For example, OJJDP awarded VOCA grantees \$15.6 million in fiscal year 2013, even though about \$8.7 million in VOCA grant funding awarded to these same grantees in fiscal year 2012 remained unexpended when the fiscal year 2013 grants were awarded. In some cases, very little of the grant funding awarded in fiscal year 2012 had been expended when the fiscal year 2013 grants were awarded. For example, in September 2013, OJJDP awarded the Western Regional CAC with a fiscal year 2013 VOCA grant of over \$1 million when the grantee had expended less than 1 percent of its fiscal year 2012 award. As seen in figure 3, this trend is consistent over the period of our review, though grantees have made some progress in more fully expending prior years' grants since fiscal year 2010, when an average of 73 percent of grant funding had not been expended when OJJDP awarded fiscal year 2011 grant funding. Two years later, grantees had not expended an average of 59 percent of the fiscal year 2012 awards when OJJDP awarded the fiscal year 2013 VOCA grants. However, this reduction was not shared broadly across all of the VOCA grant programs. In some cases, the percentage of unexpended grant funds increased over this time period. For example, for the Regional CAC Program, grantees' percentages of unexpended grant funds increased from 73 percent of fiscal year 2010 grant funding when OJJDP awarded fiscal year 2011 grant funding to 86 percent of fiscal year 2012 funding when OJJDP awarded fiscal year 2013 grant funding.

**Figure 3: Unexpended Grant Balances for All Victims of Child Abuse Act (VOCA) Grant Awards, by Fiscal Year, When the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Awarded Subsequent Fiscal Year (FY) Funding**



Source: GAO analysis of grantee payment histories. | GAO-15-351

By carrying over unexpended grant funds beyond the terms of their initial project periods, grantees are using prior years' awards to pay for current activities. Thus, grantees may be delaying implementation of more recently approved planned projects and activities to improve the investigation, prosecution, and treatment of child abuse.<sup>30</sup> Establishing and enforcing clear requirements for approving no-cost grant extensions would better enable OJJDP to ensure that VOCA funds are being used in a timely manner to support those directly assisting victims of child abuse.

<sup>30</sup>See app. III for more information.

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## OJJDP's Performance Measures and Its Data Collection Methods Are Not Fully Aligned, Hindering Its Ability to Assess Grantee Performance

OJJDP does not have the performance data necessary to assess VOCA grantees' performance because the measures it has established to assess performance do not fully align with the tools it has created to collect desired performance information from grantees.

Each time OJJDP announces available funding through a specific grant program, OJJDP develops a solicitation to describe the program to applicants and to outline the set of performance measures to which grantees will be held accountable once funded. OJJDP expects grantees to report on these performance measures using its Data Collection and Technical Assistance Tool—developed in 2005 as a comparable way to collect quantitative performance data from grantees across all of its grant programs that it could analyze in a quick and efficient manner. As described earlier, all OJJDP grantees, including VOCA grantees, are required to submit performance data reports using the DCTAT twice per year, in conjunction with their semiannual narrative progress reports. These narrative reports allow the grantees to provide qualitative data describing their activities in a more general manner, but these reports do not provide OJJDP with information to assess grantee performance against the performance measures they established in the grant solicitations.<sup>31</sup> According to the OJJDP performance measures coordinator, when developing solicitations, each grant program manager should be selecting and including specific performance measures from the universe of DCTAT measures. Further, the solicitations contain instructions directing grantees to use the DCTAT system to report on these measures. However, we found a misalignment between the performance measures contained in the VOCA grant solicitations and the universe of DCTAT measures. Specifically, OJJDP outlined a total of 44 performance measures across the 5 fiscal year 2012 VOCA grant solicitations that it wanted grantees to address, but the DCTAT had corresponding measures available for just 33 of these 44 measures. We also found that even when corresponding DCTAT measures were available, VOCA grantees did not include all such measures in their DCTAT reports (see fig. 4). Specifically, of the 33 solicitation performance measures that had corresponding DCTAT measures available, grantees included just 13 in their fiscal year 2012 DCTAT reports. For example, the fiscal year 2012 Regional CAC Program solicitation contained 10

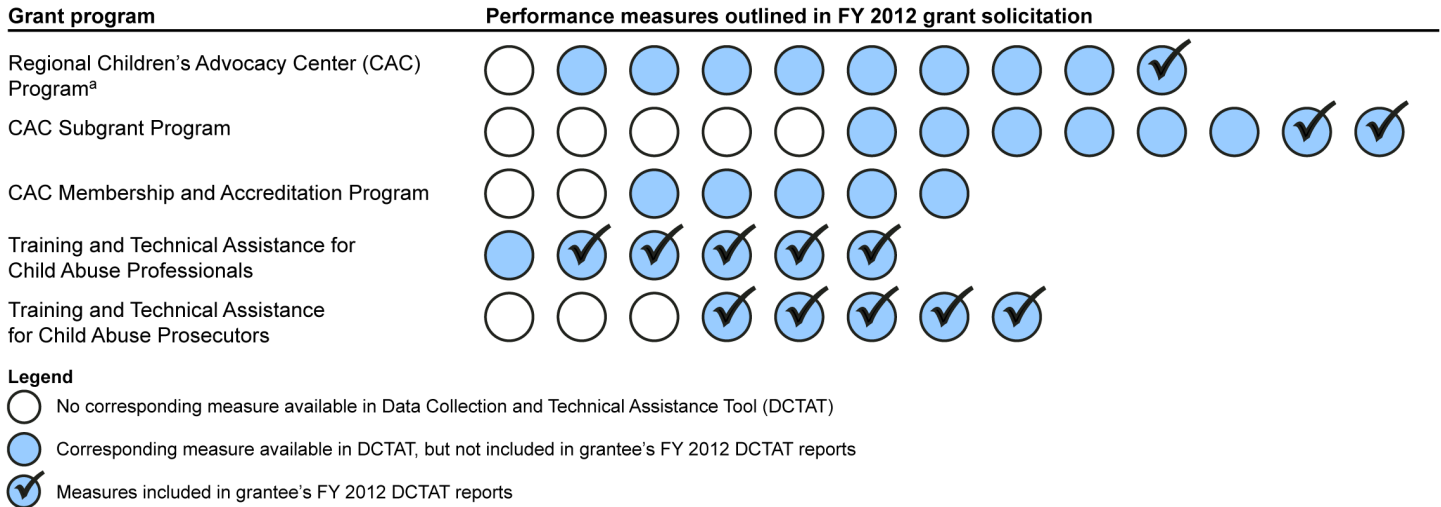
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<sup>31</sup>OJJDP includes a special condition on each grant award that requires the grantee to submit these performance data reports.



performance measures, but the grantees included information on just 1 of these 10 measures in their DCTAT submissions. Accordingly, OJJDP did not have information to assess these grantees' performance against the other 9 measures that OJJDP had established in its Regional CAC Program grant solicitation.

**Figure 4: Analysis of Grantees’ Inclusion of Performance Measures Outlined in the Grant Solicitation for the Fiscal Year (FY) 2012 VOCA Grant Programs<sup>a</sup>**



Source: GAO analysis of Victims of Child Abuse Act (VOCA) grant solicitations and DCTAT reports for fiscal year 2012. | GAO-15-351

Notes: Some grantees included additional measures in their DCTAT reports beyond those called for in the solicitation. These additional measures are not included in this figure.

<sup>a</sup>OJJDP awarded funding to four grantees under the fiscal year 2012 Regional CAC Program solicitation. All four grantees included one of the nine performance measures with a corresponding DCTAT measure in their DCTAT performance data reports.

When we discussed with OJJDP officials the misalignment between the solicitation measures and the measures grantees include in their DCTAT reports, they could not explain the discrepancy. Further, OJJDP officials told us that they have made certain DCTAT measures, such as those addressing the use of evidence-based practices, mandatory to help ensure that all grantees are reporting on common elements. These mandatory DCTAT measures are used to inform DOJ’s annual performance report, strategic plan, and other similar activities. However, these mandatory measures do not necessarily relate to the performance measures outlined in each individual grant solicitation. In addition to the mandatory measures, OJJDP officials also explained that they designed the DCTAT to include an array of optional measures, such as those addressing the provision of technical assistance, through which grantees

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can report on data elements of greatest salience to their work. Through these optional measures, OJJDP expects grantees to respond to the performance measures outlined in the grant solicitation. Nevertheless, as shown in figure 4, the DCTAT submissions that VOCA grantees provided OJJDP in fiscal year 2012 were not fully responsive to the performance measures outlined in the VOCA grant solicitations. Accordingly, OJJDP does not have complete data to assess grantees' performance against the performance measures it established in the solicitation.

VOCA grantees told us that when completing their DCTAT reports, they complete the mandatory measures that the DCTAT system prompts them to respond to, and may also report on optional measures. However, five of the six VOCA grantees told us that they have not received guidance or feedback from OJJDP on which optional DCTAT measures to include in their reports. Accordingly, the grantees use their best judgment when determining whether to include optional measures in their DCTAT reports. For example, one grantee included eight optional measures in its fiscal year 2012 DCTAT reports, but none of these optional measures corresponded to the performance measures contained in the respective VOCA grant solicitation. This grantee told us that it selected these optional measures because they seemed to align with the goals, objectives, and outcomes of its grant. OJJDP does offer some training to grantees on the DCTAT system, but our review of this training content showed that the training focused on reporting against the mandatory measures and did not include a discussion of the need to use the DCTAT optional measures in order to respond to the performance measures outlined in the grant solicitation.

*Standards for Internal Control in the Federal Government* requires agencies to engage in control activities—such as establishing and reviewing performance measures—to ensure that management directives are carried out. These standards further require that information should be recorded and communicated to stakeholders in a form that enables them to carry out their responsibilities.<sup>32</sup> Because it has not developed performance measures in the grant solicitations that correspond to DCTAT measures, OJJDP does not have the information it needs to measure and monitor grantee performance.

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<sup>32</sup>[GAO/AIMD-00-21.3.1](#).

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## Conclusions

The VOCA grant programs are designed to help improve the investigation and prosecution of child abuse cases, largely by providing funding, training, and technical assistance to child abuse professionals and CACs throughout the nation. Given the importance of addressing and reducing child abuse, it is critical that the limited amount of federal funding available for the VOCA grant programs be expended in a timely and effective manner. However, OJJDP's administrative requirements have contributed to VOCA grantees' challenges in fully expending their grant awards within the original 12-month project period. Additionally, OJJDP's inconsistent and irregularly enforced extension guidance has resulted in grantees' spending down a backlog of VOCA funding, even while accumulating new grant awards. Further, OJJDP does not have complete information by which to evaluate the performance of VOCA grantees against established performance measures to ensure that VOCA grant funds are being used effectively to support improvements in the investigation and prosecution of child abuse.

The VOCA grant programs are relatively small—with total awards of less than \$16 million in fiscal year 2013. However, many of the processes we examined—including those related to grant expenditures and performance management—are broadly applicable to other OJJDP discretionary grant programs. Accordingly, the VOCA grant programs could provide important lessons that may be applicable to other grant programs.

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## Recommendations for Executive Action

To ensure the timely expenditure of VOCA grant funds and thereby limit the carryover of unexpended grant balances, minimize the need for multiple grant extensions, and strengthen OJJDP's capacity to collect and assess grantee performance information, we recommend that the Assistant Attorney General for OJP work with the Administrator of OJJDP to take the following four actions:

1. conduct a study to examine whether any of its administrative processes contribute to unnecessary delays in grantees' ability to expend VOCA funds within the established 12-month project period and make modifications to these processes as appropriate;
2. considering the results of this study, examine whether the current 12-month project period is realistic in light of any administrative processes that cause delay but cannot be modified and extend the project period if necessary;

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3. establish and enforce clear requirements for approving no-cost grant extensions; and
  4. ensure that the performance measures outlined in its VOCA grant solicitations correspond to existing DCTAT measures and clarify to VOCA grantees that they are to report on such measures using the DCTAT system. If existing DCTAT measures do not provide ample coverage for the specific measures that the VOCA program wishes to collect when posting the solicitation, then the Administrator should ensure that the VOCA program provides clear, written instruction requiring VOCA grantees to use their semiannual progress reports for reporting on the specific performance measures that the solicitation outlines that are not available in the DCTAT system.

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## Agency Comments and Our Evaluation

We provided a draft of this report to DOJ for review and comment. OJP provided written comments, which are reprinted in appendix IV, and agreed with all four of the recommendations. OJP also provided technical comments, which we incorporated as appropriate.

- With respect to the first recommendation, OJP concurred and noted that OJJDP will examine the extent to which any of its administrative processes contribute to unnecessary delays in grantees' ability to expend VOCA funds within the established 12-month project period. OJP also noted that OJJDP will make modifications to these processes as appropriate.
- Regarding the second recommendation, OJP concurred and stated that OJJDP will consider the results from the study it has planned in response to our first recommendation in determining whether the current 12-month project period is realistic. If OJJDP determines that a longer project period is warranted, it has agreed to make the change prospectively. OJP further stated that in the interim, beginning in fiscal year 2015, OJJDP will modify its approach to providing supplemental awards.
- In response to our third recommendation, OJP concurred and noted that OJJDP will provide training to supervisors and grant managers to ensure that the narrative justification submitted with grantee extension requests meets the requirements of the current OJP Financial Guide, as well as its successor, the DOJ Financial Guide, which will be made available in the spring of 2015. In addition, OJP stated that when the OJP Financial Guide and the OJP Grant Managers Manual are updated, OJJDP will review and update its internal grant management

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policies and procedures, as appropriate, and communicate all changes during periodically scheduled OJJDP staff meetings.

- Finally, for the fourth recommendation, OJP concurred and stated that OJJDP will add the performance measures outlined in the VOCA grant solicitations to the DCTAT system by fiscal year 2016. Additionally, OJP stated that OJJDP will contact all the VOCA grantees in fiscal year 2015 to clarify their requirement to submit performance measurement data. OJP also stated that OJP will provide VOCA grantees with training on the collection and reporting of performance measures data.

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We are sending copies of this report to the Attorney General of the United States, the Assistant Attorney General for the Office of Justice Programs, the Administrator for the Office of Juvenile Justice and Delinquency Prevention, and interested congressional committees as appropriate. In addition, the report will be available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staffs have any questions about our work, please contact me at (202) 512-9627 or [MaurerD@gao.gov](mailto:MaurerD@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made major contributions to this report are listed in appendix V.



David C. Maurer  
Director, Homeland Security and Justice

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*List of Congressional Committees*

The Honorable Richard C. Shelby  
Chairman  
Subcommittee on Commerce, Justice, Science, and Related Agencies  
Committee on Appropriations  
United States Senate

The Honorable Barbara Mikulski  
Ranking Member  
Subcommittee on Commerce, Justice, Science, and Related Agencies  
Committee on Appropriations  
United States Senate

The Honorable John Culberson  
Chairman  
Subcommittee on Commerce, Justice, Science, and Related Agencies  
Committee on Appropriations  
House of Representatives

The Honorable Chaka Fattah  
Ranking Member  
Subcommittee on Commerce, Justice, Science, and Related Agencies  
Committee on Appropriations  
House of Representatives

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# Appendix I: Use of Victims of Child Abuse Act Grant Funds for Executive Compensation

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This appendix provides information on grantees' executive compensation from fiscal years 2010 through 2013 for five grant programs established in response to the Victims of Child Abuse Act (VOCA).<sup>1,2</sup> The Office of Justice Programs (OJP) instituted a policy in 2007 capping the amount of grant funds that could be used for employee compensation. This policy applies to all recipients of OJP discretionary grant awards over \$250,000. In accordance with Office of Management and Budget (OMB) Circular A-87, which requires federally funded compensation be "reasonable," OJP set the cap at 110 percent of the maximum amount payable to a member of the federal government's Senior Executive Service (SES). Specifically, grantees were prohibited from using grant funds to pay for any portion of an employee's cash compensation if that employee's total cash compensation (from all sources) exceeded the cap.<sup>3</sup>

In 2010, in response to departmental concerns that the restrictions were hindering OJP's ability to attract experienced, high-quality researchers and experts, OJP revised its compensation cap policy. The revised policy permits grantees to compensate employees at rates above the 110 percent cap provided that the portion of an employee's total annual compensation paid with federal funds does not exceed the cap. For example, the maximum SES salary for fiscal year 2013 was \$179,700, meaning that the OJP compensation cap applies for salaries of \$197,670 or more—110 percent of the SES salary level. Under the original 2007 policy, a grantee seeking to pay an employee a total of \$200,000 in annual cash compensation—\$100,000 paid with OJP grant funds and \$100,000 paid with revenue from private donors—could not do so. However, under the revised 2010 policy, the grantee would be allowed to contribute \$100,000 in federal funding toward the \$200,000 salary because the new policy limits the amount of federal funds that a grantee may direct toward an employee's compensation rather than limiting the total compensation that an employee may receive.

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<sup>1</sup>Senate Report 113-78, accompanying the Departments of Commerce, Justice, Science, and Related Agencies' Appropriations Bill, 2014, included a provision for GAO to review, among other things, grantee executive compensation. See S. Rep. No. 113-78, at 94-95.

<sup>2</sup>According to OJJDP officials, these five solicitations are authorized under subtitle A of the Victims of Child Abuse Act of 1990, Pub. L. No. 101-647, §§ 211-214, 104 Stat. 4789, 4792-94 (codified as amended at 42 U.S.C. §§ 13001-04). OJJDP's administration of the VOCA programs generally aligned with these statutory provisions.

<sup>3</sup>Cash compensation is defined as "salary plus bonuses."

Both the 2007 and 2010 policies include a provision stating that grantees may apply for a waiver of the compensation restrictions. OJP officials stated that they consider several factors when evaluating a waiver request, including the particular qualifications and expertise of the individual, the uniqueness of the service being provided, and the individual's specific knowledge of the program or project being undertaken with award funds, among other factors.

For the VOCA grant programs, OJP has approved three waivers since the compensation cap policy was instituted, in fiscal year 2007.<sup>4</sup> These waivers were filed by the Midwest Regional Children's Advocacy Center (CAC) in fiscal years 2007, 2008, and 2009 in order to compensate two physicians with specific expertise in child abuse and neglect above the compensation cap.<sup>5</sup> For example, in fiscal year 2007, the Midwest Regional CAC sought to use VOCA funds to support the physicians' annual salaries of \$201,905 and \$187,200. These salaries exceeded the cap by 9 percent and 1 percent respectively, although the grantee charged only 10 percent (\$20,191) and 25 percent (\$46,800) of these salaries to the VOCA grant. Under the 2010 policy, this grantee would not have needed to apply for a waiver since the portion of grant funds being used for the salary did not exceed the 110 percent cap.

Since OJP adopted its revised policy, in 2010, no VOCA grantee has sought a waiver of the compensation restrictions. In addition, we found that from fiscal year 2010 through fiscal year 2013, no VOCA grantee reported plans to pay any employee a total annual salary in excess of the cap, regardless of the source of funding.<sup>6</sup> As shown in table 2, we found that VOCA grantees planned to pay their executive directors an average annual salary of \$137,759, of which an average of \$52,569, or 38

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<sup>4</sup>These were the only waiver requests made by any VOCA grantee since the implementation of the compensation cap in 2007.

<sup>5</sup>In each of these 3 years, the Midwest Regional CAC submitted one waiver request in which it sought to pay each of these two employees an annual salary above the cap.

<sup>6</sup>In fiscal year 2012, one grantee paid its executive director an annual salary equal to the 110 percent of SES salary cap (\$197,670). In fiscal years 2010, 2011 and 2013, all VOCA grantees paid their executive directors annual salaries below the cap.



percent, was funded through a VOCA grant.<sup>7</sup> Aside from the executive directors, VOCA grantees collectively used their VOCA awards to support the salaries of between 44 and 62 employees annually, among other uses of the funds. As shown below, the average salary VOCA grantees paid non-executive directors was \$46,194, of which, an average of \$36,019, or 78 percent, was paid with VOCA funds.

**Table 2: Average Annual Employee Salaries among Victims of Child Abuse Act (VOCA) Grantees, from Fiscal Years 2010 through 2013**

Grantee (VOCA program)	Executive director		All other employees <sup>a</sup>	
	Average total annual salary	Average amount paid by VOCA funds (percentage of total)	Average total annual salary	Average amount paid by VOCA funds (percentage of total)
National Children's Alliance <sup>b</sup> (Subgrant Program)	\$183,663	\$80,633 (44%)	\$61,295	\$35,682 <sup>c</sup> (58%)
National Children's Alliance <sup>b</sup> (Membership and Accreditation)		\$72,963 (40%)	\$68,550	\$44,278 <sup>c</sup> (65%)
CAC for the Pikes Peak Region (Western Regional CAC)	\$95,735	\$23,934 (25%)	\$61,130	\$57,513 (94%)
Children's Health Care (Midwest Regional CAC)	\$164,134	\$32,827 (20%)	\$80,790	\$70,596 (87%)
Philadelphia Children's Alliance (Northeast Regional CAC)	\$95,900	\$28,770 (30%)	\$60,456	\$54,138 (90%)
National Children's Advocacy Center <sup>d</sup> (Southern Regional CAC)	\$117,495	\$43,422 (37%)	\$48,273	\$42,664 (88%)
National Children's Advocacy Center <sup>d</sup> (Training and Technical Assistance for Child Abuse Professionals)		\$17,646 (15%)	\$42,168	\$18,636 (44%)
National District Attorneys Association <sup>e</sup> (Training and Technical Assistance for Child Abuse Prosecutors)	\$180,250	\$2,773 (2%)	\$73,080	\$35,833 (49%)

<sup>7</sup>With one exception, the executive director was the highest-paid employee among each of the awards in our scope. Specifically, in fiscal year 2010, a physician employed as a medical consultant for the Midwest Regional CAC received a total annual salary of \$192,562, 10 percent of which was paid with VOCA funds, whereas the executive director of the Midwest Regional CAC received a total annual salary of \$165,974, 20 percent of which was paid by VOCA funds.

**Appendix I: Use of Victims of Child Abuse Act  
Grant Funds for Executive Compensation**

Grantee (VOCA program)	Executive director		All other employees <sup>a</sup>	
	Average total annual salary	Average amount paid by VOCA funds (percentage of total)	Average total annual salary	Average amount paid by VOCA funds (percentage of total)
Average across all salaries supported by VOCA funds	\$137,759	\$52,569 (38%)	\$46,194 <sup>f</sup>	\$36,019 <sup>f</sup> (78%)

Source: GAO analysis of VOCA grantee budgets, fiscal years 2010 - 2013.

<sup>a</sup>Does not include any employees designated as hourly.

<sup>b</sup>Each year the National Children's Alliance (NCA) used funds from both VOCA awards to support the salary of its executive director and the salaries of 5-7 other employees. For example, in fiscal year 2011, NCA used one or both VOCA awards to support the salaries of its executive director and 10 other employees. NCA used funds from both awards toward the executive director's salary. Of the 10 other employees' salaries, 2 were funded solely by NCA's Subgrant Program award, 3 were funded solely by NCA's Membership and Accreditation award, and 5 were funded in part by both awards.

<sup>c</sup>For salaries supported by both VOCA awards, these amounts reflect only the portion of the salary charged to the individual VOCA program. Together, NCA used funds from both VOCA programs to pay for 96 percent of all employee salaries (excluding that of the executive director).

<sup>d</sup>The only salary that was supported by both of the National Children's Advocacy Center's VOCA awards was that of its executive director.

<sup>e</sup>The National District Attorneys Association did not receive VOCA funding for fiscal year 2013.

<sup>f</sup>Does not equal average of values above because of differences in the numbers of employees.

# Appendix II: Victims of Child Abuse Act (VOCA) Grant Recipients and Funding, Fiscal Years 2010 through 2013

This appendix provides information on funding for the VOCA grant programs from fiscal years 2010 through 2013, as well as the purposes and recipients of this funding. Specifically, table 3 shows funding for the five grant programs established in response to subtitle A of VOCA: the Children's Advocacy Center (CAC) Subgrant Program, the Regional CAC Program, the CAC Membership and Accreditation Program, Training and Technical Assistance to Child Abuse Professionals, and Training and Technical Assistance to Child Abuse Prosecutors.<sup>1</sup>

**Table 3: Victims of Child Abuse Act (VOCA) Grant Programs, Recipients, and Funding, Fiscal Years 2010 through 2013**

Dollars in millions							
Grant program	Purpose	Recipient(s)	Fiscal year				Total funding awarded <sup>a</sup>
			2010	2011	2012	2013	
Children's Advocacy Center (CAC) Subgrant Program	Funds the operation of CACs and state chapters.	National Children's Alliance	\$13.19	\$10.75	\$8.80	\$9.80	\$42.54
Regional CAC Program	Supports the four regional CACs in the delivery of training and technical assistance to CACs within each region.	Children's Advocacy Center for the Pikes Peak Region; Children's Health Care; Philadelphia Children's Alliance; National Children's Advocacy Center	\$5.97	\$5.04	\$4.49	\$4.24	\$19.75
CAC Membership and Accreditation Program	Supports a national membership organization in the development and implementation of accreditation standards for CAC programs.	National Children's Alliance	\$1.13	\$0.92	\$0.74	\$0.74	\$3.54
Training and Technical Assistance for Child Abuse Professionals	Provides training and technical assistance for child abuse professionals.	National Children's Advocacy Center	\$0.95	\$0.78	\$0.63	\$0.85	\$3.21
Training and Technical Assistance for Child Abuse Prosecutors	Provides training and technical assistance for child abuse prosecutors.	National District Attorneys Association	\$1.86	\$1.52	\$1.23	Not applicable	\$4.61
<b>Total<sup>a</sup></b>			<b>\$23.11</b>	<b>\$19.02</b>	<b>\$15.89</b>	<b>\$15.63</b>	<b>\$73.65</b>

Source: GAO analysis of VOCA grant awards, fiscal years 2010–2013.

<sup>a</sup>Because of rounding, numbers may not sum to totals.

<sup>1</sup>See 42 U.S.C. §§ 13001-04.

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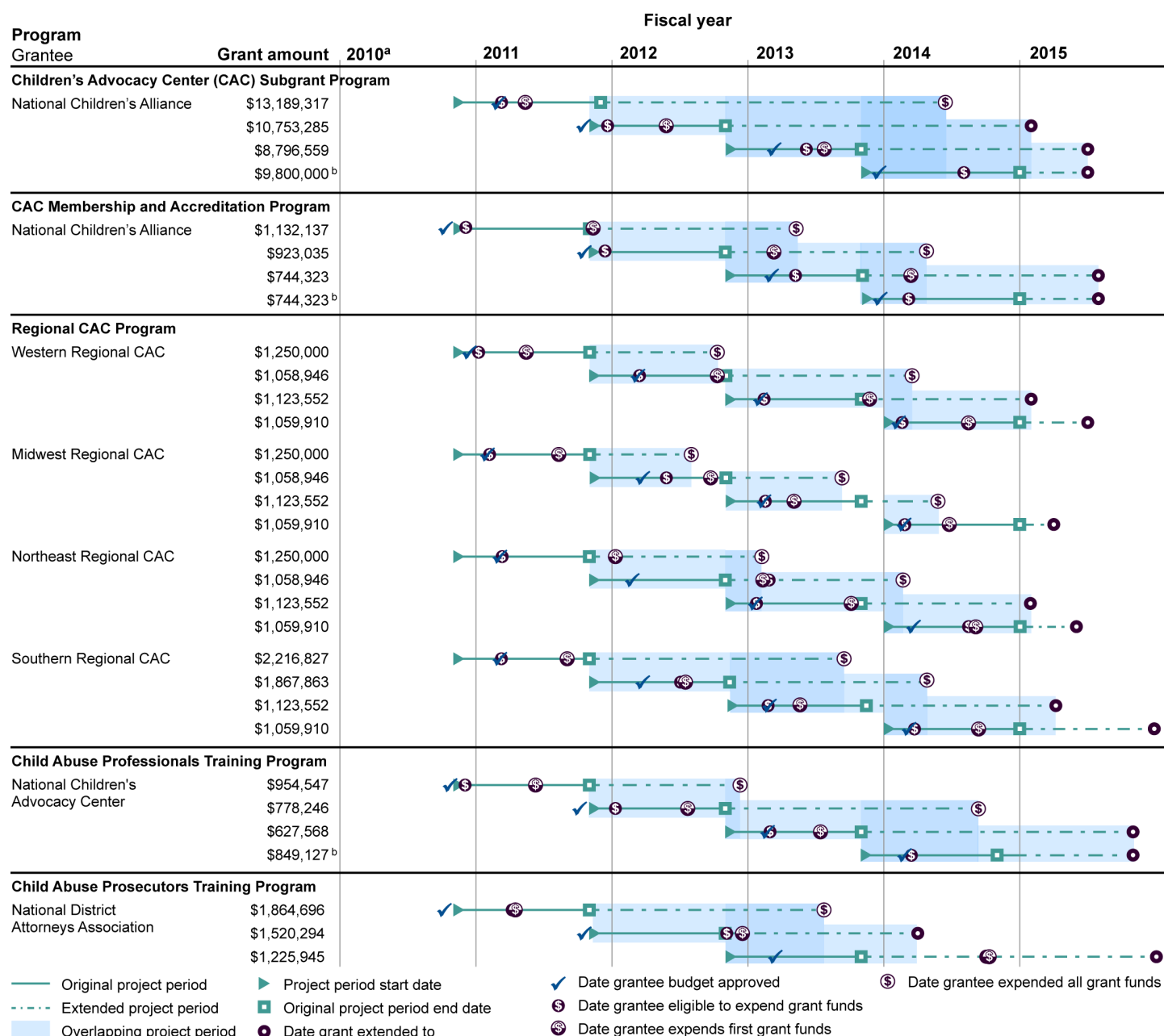
# Appendix III: Administrative Processes and Overlap of Victims of Child Abuse Act Grant Funds Awarded in Fiscal Years 2010 - 2013

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This appendix provides a graphical presentation of how delays as a result of the Office of Juvenile Justice and Delinquency Prevention's (OJJDP) administrative review processes and routine approval of grant extension requests contribute to a backlog of grant funds amongst grant recipients. For example, as shown in figure 5, the National Children's Alliance (NCA) was awarded a \$13.19 million grant under the Children's Advocacy Center (CAC) National Subgrant Program in late fiscal year 2010. OJJDP approved NCA's requests for more than 2 years of no-cost grant extensions on this grant, and NCA did not fully expend the grant until the middle of fiscal year 2014. During this time, OJJDP awarded NCA 3 new grants under the CAC Subgrant Program—1 each in fiscal years 2011, 2012, and 2013.

Appendix III: Administrative Processes and  
Overlap of Victims of Child Abuse Act Grant  
Funds Awarded in Fiscal Years 2010 - 2013

**Figure 5: Timeline of Administrative Processes and Overlap of Victims of Child Abuse Act (VOCA) Grant Funds Awarded in Fiscal Years 2010–2013**



Source: GAO analysis of Victims of Child Abuse Act (VOCA) grant documentation. | GAO-15-351

<sup>a</sup>The project period for fiscal year 2010 grants began August 1, 2010. VOCA grants awarded prior to fiscal year 2010 and after fiscal year 2013 may overlap with the VOCA grants awarded in fiscal years 2010 through 2013 shown here, but VOCA grants awarded prior to fiscal year 2010 and after fiscal

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**Appendix III: Administrative Processes and  
Overlap of Victims of Child Abuse Act Grant  
Funds Awarded in Fiscal Years 2010 - 2013**

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year 2013 are not displayed here, as they fall outside of the scope of our analysis. All data current as of September 30, 2014.

<sup>b</sup>These grants were made as supplemental funding to existing fiscal year 2012 grants. They are shown here as separate awards.

# Appendix IV: Comments from the Department of Justice



U.S. Department of Justice

Office of Justice Programs

APR 15 2015

Washington, D.C. 20531

Mr. David Maurer  
Director  
Homeland Security and Justice Team  
Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Dear Mr. Maurer:

Thank you for the opportunity to review and comment on the draft Government Accountability Office (GAO) report entitled, "Victims of Child Abuse Act: Further Actions Needed to Ensure Timely Use of Grant Funds and Assess Grantee Performance" (GAO-15-351). The Office of Justice Programs (OJP) appreciates the GAO's work in planning and conducting this review and issuing the draft report.

OJP's Office of Juvenile Justice and Delinquency Prevention (OJJDP) envisions a nation where our children are healthy, educated, and free from violence. If they come into contact with the juvenile justice system, the contact should be rare, fair, and beneficial to them. To that end, OJJDP is committed to helping improve the investigation and prosecution of child abuse cases, largely by providing funding, training, and technical assistance to Children's Advocacy Centers (CACs) through its Victims of Child Abuse Act (VOCA) programs. From fiscal years (FYs) 2010 through 2014, OJJDP awarded approximately \$90.5 million in grants for programs established in response to VOCA, through five distinct solicitations. In FY 2014, there were 777 CACs nationwide that collectively served about 322,000 child victims of physical and sexual abuse.

The draft GAO report contains four Recommendations for Executive Action directed to OJP. For ease of review, the recommendations are restated in bold text below and are followed by OJP's response.

**To ensure the timely expenditure of VOCA grant funds and thereby limit the carryover of unexpended grant balances, minimize the need for multiple grant extensions, and strengthen its capacity to collect and assess grantee performance information, we recommend that the Assistant Attorney General for OJP work with the Administrator of OJJDP to take the following four actions:**

- 1. Conduct a study to examine whether any of its administrative processes contribute to unnecessary delays in grantees' ability to expend VOCA funds within the established 12-month project period and make modifications to these processes as appropriate.**

OJP agrees with the Recommendation for Executive Action. OJJDP will examine the extent to which any of OJP's administrative processes contribute to unnecessary delays in VOCA grantees' ability to expend funds within the established 12-month project period, and make modifications to these processes as appropriate.

- 2. Considering the results of this study, examine whether the current 12-month project period is realistic in light of any administrative processes that cause delay but cannot be modified and extend the project period if necessary.**

OJP agrees with the Recommendation for Executive Action. Based on the examination of current administrative processes, OJJDP will consider whether extending the initial 12-month project period is viable, and, if so, will implement the change prospectively.

In the interim, beginning in FY 2015, for those VOCA grants being re-competed, OJJDP will make an initial grant award with the intent to award 12-month supplemental awards in the two subsequent fiscal years, resulting in a 36-month project period for the grant. Each year, OJJDP will review the expenditures from the previous year's award to determine the appropriate funding amount of the supplemental award. Dependent upon the availability of funding, OJJDP will continue to compete the VOCA awards every three years.

For the FY 2015 VOCA continuation awards, OJJDP will make 12-month supplemental awards and will determine the appropriate award amounts based on current balances of the awards.

- 3. Establish and enforce clear requirements for approving no-cost grant extensions.**

OJP agrees with the Recommendation for Executive Action. OJJDP will provide training to supervisors and grant managers to ensure that the justification submitted in no-cost grant period extensions meets the requirements of the current OJP Financial Guide, as well as its successor, the DOJ Financial Guide, which will be made available in spring 2015. In addition, when the Financial Guide and the OJP Grant Managers Manual are updated, OJJDP will review and update its internal grant management policies and procedures, as appropriate, and communicate all changes during periodically scheduled OJJDP All-Staff meetings.

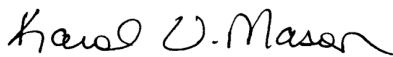


4. **Ensure that the performance measures outlined in its VOCA grant solicitations correspond to existing DCTAT measures and clarify to VOCA grantees that they are to report on such measures using the DCTAT system. If existing DCTAT measures do not provide ample coverage for the specific measures that the VOCA program wishes to collect when posting the solicitation, then the Administrator should ensure that the VOCA program provides clear, written instruction requiring VOCA grantees to use their semi-annual progress reports for reporting on the specific performance measures that the solicitation outlines that are not available in the DCTAT system.**

OJP agrees with the Recommendation for Executive Action. OJJDP is in the process of reviewing the performance measures in the VOCA solicitations and updating the Data Collection and Technical Assistance Tool (DCTAT) system to include these performance measures. By FY 2016, OJJDP will add the required performance measures into the DCTAT for grantee submission. In addition, in FY 2015, OJJDP will contact all the VOCA grantees to clarify their requirement to submit performance measurement data, and will provide clear direction on proper submission of performance measures data (i.e., the semi-annual progress report or DCTAT). Finally, in FY 2015, OJJDP will offer training to the VOCA grantees on the collection and reporting of performance measures data. New VOCA grantees will be trained within receiving the first year of funding.

If you have any questions regarding this response, you or your staff may contact Ralph E. Martin, Director, Office of Audit, Assessment, and Management, at (202) 305-1802.

Sincerely,



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Assistant Attorney General

cc: Stuart F. Delery  
Acting Associate Attorney General

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Principal Deputy Assistant Attorney General  
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# Appendix V: GAO Contact and Staff Acknowledgments

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## Staff Acknowledgments

In addition to the contact named above, Joy Booth (Assistant Director), Katherine Lee (Analyst-in-Charge), Claudine Brenner, Michele Fejfar, Eric Hauswirth, Susan Hsu, Jasmine Masand, Linda Miller, Janet Temko-Blinder, Sarah Turpin, and Stephen Yoder made key contributions to this report.

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