

July 2012

# JUSTICE GRANT PROGRAMS

## DOJ Should Do More to Reduce the Risk of Unnecessary Duplication and Enhance Program Assessment



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## Why GAO Did This Study

Since fiscal year 2005, approximately \$33 billion has been appropriated to DOJ for the administration of more than 200 federal financial assistance solicitations, such as grants, that support criminal justice activities at the state and local levels. Pursuant to section 21 of Public Law 111-139, this report addresses the extent to which (1) overlap exists across DOJ grant programs and if it contributes to the risk of unnecessary duplication in grant awards, (2) DOJ has taken steps to reduce overlap and the potential for unnecessary duplication in its grants awards, and (3) DOJ uses monitoring and assessment to determine grant program effectiveness and uses the results to enhance its grant programs. GAO assessed DOJ's fiscal year 2010 announcements of grant award funding; categorized them according to key justice areas to identify any overlap; and interviewed DOJ officials about their grant making practices, systems, and assessment methods. Further, GAO interviewed officials from 11 states receiving DOJ grants, selected for the levels and types of funding received. Though not generalizable, the interviews provided their perspectives on funding.

## What GAO Recommends

GAO recommends, among other things, that the department assess its grant programs for overlap, ensure its comprehensive study of DOJ grant management systems also includes an analysis of steps necessary to harmonize business processes, and examine its mix of grant monitoring and program assessment activities. DOJ agreed with GAO's recommendations.

View [GAO-12-517](#). For more information, contact David C. Maurer at (202) 512-9627 or [maurerd@gao.gov](mailto:maurerd@gao.gov).

## JUSTICE GRANT PROGRAMS

### DOJ Should Do More to Reduce the Risk of Unnecessary Duplication and Enhance Program Assessment

## What GAO Found

The Department of Justice's (DOJ) grant programs overlap across 10 justice areas contributing to the risk of unnecessarily duplicative grant awards for the same or similar purposes. For example, GAO reviewed all 253 grant award announcements that DOJ's Office of Justice Programs (OJP), the Office on Violence Against Women (OVW), and the Community Oriented Policing Services (COPS) Office published on their websites for fiscal year 2010 and found overlap across the justice areas. For example, 56 of DOJ's 253 grant solicitations—or more than 20 percent—were providing grant funds for victim assistance and related research. GAO also found instances where applicants used the same or similar language to apply for funding from these overlapping programs. In one example, a grant recipient applied for, and received, funding from both OJP's Internet Crimes Against Children program and the COPS Office's Child Sexual Predator Program to provide training for cyber crime investigations and establish an Internet safety program. In some instances, DOJ may deem it appropriate for distinct grant programs to serve one goal, or for one community or grantee to benefit from multiple streams of grant funding. However, DOJ generally lacks visibility over the extent to which its grant programs overlap and thus is not positioned to minimize the risk of potential, unnecessary duplication before making grant awards.

DOJ has taken some actions that address overlap in its grant programs; for example, by requesting statutory authorization in some instances to consolidate programs that are similar. However, DOJ has not conducted an assessment of its grant programs to systematically identify and reduce overlap. Doing so would enable DOJ to identify program areas where overlap may be desirable and where a consolidation of programs may be more efficient. Further, OJP and OVW use a separate grants management system than the COPS Office uses, limiting their ability to share information on the funding they have awarded or are preparing to award to a recipient. According to COPS Office officials, its mission and grant management processes are unique enough to necessitate a separate system. However, OJP officials told GAO that its system has been and can be modified with minimal investment to accommodate different grant processes. DOJ has initiated a study to assess the feasibility, costs, and benefits of unifying the systems among other options. By ensuring that such a study accounts for the effort necessary to harmonize departmental grant processes, DOJ could ensure that variations in such processes do not encumber system unification.

DOJ's Office of Audit, Assessment, and Management (OAAM) oversees monitoring of grantees' compliance and conducts grant program assessments to gauge program effectiveness. GAO found that OAAM's program assessments yield richer information than its monitoring reports because they identify improvement areas. OAAM officials believe additional assessments could be beneficial. They also said they lacked resources to conduct more, but had not conducted a feasibility analysis to confirm this. By OAAM examining its mix of monitoring and assessment activities, including the costs and benefits of current resource allocations, it could better ensure continuous improvement in grant programs.

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# Contents

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Letter		1
	Background	6
	DOJ Grant Programs Overlap, Contributing to the Risk of Unnecessarily Duplicative Grant Awards for the Same or Similar Purposes	12
	DOJ Has Taken Actions That Address Overlap in Grant Programs but Could Further Reduce the Risk of Unnecessary Duplication in Grant Funding	20
	DOJ Could Benefit from Examining Its Programmatic Grant Monitoring and Assessment Functions and Considering Expansion of OAAM's Authorities	36
	Conclusions	47
	Recommendations for Executive Action	49
	Agency Comments and Our Evaluation	50
Appendix I	Objectives, Scope, and Methodology	56
Appendix II	DOJ Granting Agencies' Organizational Structure	59
Appendix III	Structure, Purpose, and Funding of DOJ Granting Agencies	60
Appendix IV	Consolidated, Braided, and Blended Grant Program Solicitations	62
Appendix V	Office of Audit Assessment and Management Structure	65
Appendix VI	Comments from the Department of Justice	67
Appendix VII	GAO Contact and Staff Acknowledgments	74

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Tables

Table 1: Types and Examples of Federal Financial Assistance	7
Table 2: Breakdown of Fiscal Year 2010 DOJ Grant Solicitations by Granting Agency and Justice Area	14
Table 3: Consolidation and Coordination of DOJ Grant Programs and Illustrative Examples	21
Table 4: Comparison of Programmatic Grant Monitoring and Program Assessment Activities	38
Table 5: Comparison of OVW and OAAM Measurement of Grant Program Effectiveness	45

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Figures

Figure 1: DOJ Grant Funding Appropriated from Fiscal Years 2005 through 2012	8
Figure 2: Grant Life Cycle of Federal Awarding Agency	9
Figure 3: DOJ Grant and Subgrant Award Information Flow to USASpending.gov	34
Figure 4: Consolidated Grant Programs	62
Figure 5: Braided Grant Programs	63
Figure 6: Blended Grant Programs	64

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## Abbreviations

BJA	Bureau of Justice Assistance
BJS	Bureau of Justice Statistics
CMS	COPS Management System
COPS	Community Oriented Policing Services
CSPP	Child Sexual Predator Program
CTAS	Coordinated Tribal Assistance Solicitation
DHS	Department of Homeland Security
DOJ	Department of Justice
FEMA	Federal Emergency Management Agency
FFATA	Federal Funding Accountability and Transparency Act
FMIS 2	Financial Management Information System 2
GAT	Grant Assessment Tool
GMS	Grants Management System
GSA	General Services Administration
ICAC	Internet Crimes Against Children
IG	Inspector General
JAG	Edward Byrne Memorial Justice Assistance Grant
NIJ	National Institute of Justice
OAAM	Office of Audit, Assessment, and Management
OJJDP	Office of Juvenile Justice and Delinquency Prevention
OJP	Office of Justice Programs
OMB	Office of Management and Budget
OVC	Office for Victims of Crime
OVW	Office on Violence Against Women
PAD	Program Assessment Division
SAA	state administering agency
VAWA	Violence Against Women Act

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United States Government Accountability Office  
Washington, DC 20548

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### Congressional Committees

Since fiscal year 2005, approximately \$33 billion has been appropriated<sup>1</sup> to support crime prevention, law enforcement, and crime victim services through more than 200 federal financial assistance programs that the U.S. Department of Justice (DOJ) manages.<sup>2</sup> In fiscal year 2010, DOJ awarded nearly \$3.6 billion in grants through its three granting agencies—the Office of Justice Programs (OJP), the Office on Violence Against Women (OVW), and the Community Oriented Policing Services (COPS) Office. Many of the grant programs that OJP, OVW, and the COPS Office administer are, pursuant to their originating statutes, similar in scope, and grant applicants can apply for and receive grant awards from more than one program. Moreover, statutes may also require that grant recipients award a portion of their grants to subgrantees. Where statutes do not require subgranting, a grantee may voluntarily choose to award all or a portion of its funds to subgrantees.<sup>3</sup> These subgrantees may also apply directly to DOJ for funding through other grant programs for purposes that are the same or similar to the purpose for which they received the subgrant. The number of grant programs and recipients, and the billions of dollars in funds awarded annually, present administrative challenges for DOJ.

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<sup>1</sup>In addition to fiscal year funding from 2005 through 2012, this amount includes \$4 billion appropriated in fiscal year 2009 through the American Recovery and Reinvestment Act of 2009 (Recovery Act) (Pub. L. No. 111-5, 123 Stat. 115, 129-30), which includes \$10 million for salaries and expenses to manage, administer, and oversee the grant programs. This approximate amount does not reflect amounts, if any, that have been rescinded, reprogrammed, or transferred.

<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. Formula grant programs are noncompetitive awards based on a predetermined formula, typically established in statute. Discretionary grants are usually awarded on the basis of a competitive selection process. A cooperative agreement is a type of federal financial assistance similar to a grant except the federal government is more substantially involved with the grant. Payment programs typically take the form of reimbursements to state and local law enforcement entities for purchases such as body armor.

<sup>3</sup>COPS Office, however, prohibits grantees from subawarding any portion of COPS Office grants.

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We have identified management of programs that support state and local crime reduction efforts as a major performance and accountability challenge for DOJ.<sup>4</sup> We previously reported on evaluations of grant programs to assist communities in addressing gang problems, and the quality of DOJ's tool to measure grantees' performances under Recovery Act funding for one of OJP's largest grant programs.<sup>5</sup> Moreover, the DOJ Inspector General (IG) has listed grant management as one of the top 10 challenges for DOJ every year from 2000 through 2011 and has identified overlap in grant programs and duplicative oversight and monitoring services. Specifically, a 2003 IG audit found overlap in grant programs between OJP and the COPS Office, which it noted resulted from statutes that created multiple grant programs to fund similar justice areas.<sup>6</sup> The IG audit also found that no formal communication procedures between OJP and the COPS Office existed to ensure that grantees did not receive funds for similar purposes from both granting agencies and made recommendations to address this coordination issue as discussed later in this report. In addition, DOJ's Acting IG testified in June 2011 that certain monitoring and oversight performed by OVW and the COPS Office are duplicative of services that are available through OJP.<sup>7</sup>

As the United States experiences budgetary constraints, there is an ever-increasing need to ensure that governmental resources—including those awarded through grants and subgrants—are appropriately targeted and that overlap and unnecessary duplication are mitigated. In February 2012, we reported that DOJ had not assessed its grant programs to identify

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<sup>4</sup>GAO, *Major Management Challenges and Program Risks: Department of Justice*, [GAO-03-105](#) (Washington, D.C.: Jan. 1, 2003).

<sup>5</sup>GAO, *Community Policing Grants: COPS Grants Were a Modest Contributor to Declines in Crime in the 1990s*, [GAO-06-104](#) (Washington, D.C.; Oct. 14, 2005); *Combating Gangs: Better Coordination and Performance Measurement Would Help Clarify Roles of Federal Agencies and Strengthen Assessment of Efforts*, [GAO-09-708](#) (Washington, D.C.: July 24, 2009); and *Recovery Act: Department of Justice Could Better Assess Justice Assistance Grant Program Impact*, [GAO-11-87](#) (Washington, D.C.: Oct. 15, 2010).

<sup>6</sup>U.S. Department of Justice Office of the Inspector General, Audit Division, *Streamlining of Administrative Activities and Federal Financial Assistance Functions in the Office of Justice Programs and the Office of Community Oriented Policing Services*, Audit Report 03-27 (Washington D.C.: Aug. 2003).

<sup>7</sup>Hearing before the U.S. House of Representatives Committee on Oversight and Government Reform Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform concerning Improving Oversight and Accountability in Federal Grant Programs, June 23, 2011.

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overlap and that DOJ did not routinely coordinate grant awards to avoid unnecessary duplication.<sup>8</sup> This report provides further elaboration on the February 2012 report's findings, as well as addresses DOJ's ability to assess the results of its grant programs.

To examine overlap and potential duplication within DOJ—and in support of our ongoing efforts to explore duplication, overlap, and fragmentation governmentwide<sup>9</sup>—this report addresses the following three questions: (1) To what extent does overlap across DOJ grant programs exist and contribute to the risk of unnecessary duplication in grant awards? (2) To what extent has DOJ taken steps to reduce overlap in its grant programs and the potential for unnecessary duplication in grant awards? (3) To what extent does DOJ use grant monitoring and assessment to determine grant program effectiveness and use the results to enhance its grant programs?

Using the framework established in our prior work addressing overlap and duplication, we use the following definitions for purposes of assessing DOJ's grant programs:<sup>10</sup>

- **Overlap** occurs when multiple granting agencies or grant programs have similar goals, engage in similar activities or strategies to achieve these goals, or target the same or similar beneficiaries. Overlap may result from statutory or other limitations beyond an agency's control.
- **Duplication** occurs on multiple levels. It occurs when a single grantee uses grant funds from different federal sources to pay for the exact same expenditure. Duplication also occurs when two or more granting agencies or grant programs engage in the same or similar activities or *provide funding to support the same or similar services to the same beneficiaries*. Duplication thus stems from overlap. When granting

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<sup>8</sup>GAO, *2012 Annual Report: Opportunities to Reduce Duplication, Overlap, and Fragmentation, Achieve Savings, and Enhance Revenue*, [GAO-12-342SP](#) (Washington, D.C.: Feb. 28, 2012).

<sup>9</sup>We conducted this work in support of our mandate to conduct routine investigations to identify programs, agencies, offices, and initiatives with duplicative goals and activities within departments and governmentwide, and report annually to Congress. See Pub. L. No. 111-139, § 21, 124 Stat. 8, 29-30 (2010) (31 U.S.C. § 712 Note). As such, we included portions of this report in our 2012 annual report. See [GAO-12-342SP](#).

<sup>10</sup>[GAO-12-342SP](#).



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agencies do not identify overlap, assess its impact, or coordinate their activities in acknowledgment of the overlap, there is a heightened risk of **unnecessary duplication** because one granting agency may not be knowledgeable of the ways in which its funding decision duplicates another's. At times, federal funding is leveraged by design to achieve a single purpose through multiple federal funding streams. These funding arrangements are not characterized as unnecessary duplication for purposes of this review so long as federal agencies are aware of them or have deliberately planned for grant programs to be complementary.

To determine potential areas of overlap across DOJ's grant programs, we identified a total of 253 DOJ grant solicitations—announcements to applicants of funding opportunities—for fiscal year 2010 by reviewing the solicitation lists posted on the OJP, OVW, and COPS Office websites and confirming the accuracy of the information with DOJ officials. We established 10 categories of criminal justice areas and then sorted the solicitations into each category to determine whether these solicitations were announcing grant funding available for similar purposes. We developed these 10 categories after reviewing comparable justice areas identified within DOJ materials, such as a website it operates to discuss criminal justice research and strategic planning documents. After identifying solicitations with similar scopes, we reviewed a nonprobability sample of 26 successful grant applications that were awarded under similar solicitations to identify and assess specific examples of how the recipients planned to use funds from multiple programs in the same or similar manner and whether this creates the risk of unnecessary duplication in DOJ grant funding. The sample was selected based upon applicants receiving multiple grant awards from overlapping grant programs. The sample we reviewed is not generalizable to all DOJ grant programs because an ideal sample size based upon nearly 11,000 funded grant applications was impractical to select, review, and analyze. However, the results from our sample illustrate the potential for unnecessary duplication.

To examine the extent to which DOJ has taken action to reduce or mitigate overlap and ensure that DOJ does not unnecessarily award funds from multiple grant programs to support similar purposes, we analyzed agency policies, procedures, and guidance, current as of 2012, on grant program design and award, such as the OJP Grant Manager's Manual. In addition, we interviewed DOJ officials from OJP, OVW, and the COPS Office to discuss, among other topics, their grant program design and award processes and the extent to which they coordinate and

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share information with one another. We also visited or conducted phone interviews with officials from 11 states to discuss the type and timeliness of information on grant awards and subawards that they provide to or receive from DOJ.<sup>11</sup> We selected these states based on the amount of Edward Byrne Memorial Justice Assistance Grant (JAG) funding they receive and the existence of other recipients in their communities receiving DOJ discretionary grants for potentially similar purposes.<sup>12</sup> The results of these contacts are not generalizable to all states, but provided insight into how DOJ grant funds were used locally and communication occurred between states and DOJ. We also compared agency grant design and award practices against *Standards for Internal Control in the Federal Government* and promising practices identified in the Domestic Working Group Grant Accountability Project's *Guide to Opportunities for Improving Grant Accountability*.<sup>13</sup>

To analyze the extent to which DOJ uses grant monitoring and assessment to determine program effectiveness and uses the results to enhance its grant programs, we analyzed DOJ documentation, such as assessments DOJ conducted of its programs and specific programmatic grant monitoring reports.<sup>14</sup> We also interviewed DOJ officials from the

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<sup>11</sup>We selected California, Florida, New York, North Dakota, Pennsylvania, South Dakota, Rhode Island, Tennessee, Texas, Vermont, and Wyoming.

<sup>12</sup>DOJ established the JAG program following enactment of the Violence Against Women and Department of Justice Reauthorization Act of 2005, which merged the Edward Byrne Memorial State and Local Law Enforcement Assistance Program with the Local Government Law Enforcement Block Grants Program. See Pub. L. No. 109-162, § 1111, 119 Stat. 2960, 3094-3102 (2006). The JAG program is the leading source of federal justice funding to state and local jurisdictions. JAG provides funding to support a range of program areas, including law enforcement; prosecution and courts; prevention and education; corrections and community corrections; drug treatment and enforcement; planning, evaluation, and technology improvement; and crime victim and witness initiatives. The program provides 60 percent of the JAG awards directly to the state agencies that administer JAG funds—known as state administering agencies (SAA)—and 40 percent of the awards directly to local units of government. Local recipients of JAG funding can receive money either as a direct payment from the JAG program, as a pass-through from the SAA, or, in some cases, from both the program and the SAA.

<sup>13</sup>GAO, *Standards for Internal Control in the Federal Government*, [GAO/AIMD-00-21.3.1](#) (Washington, D.C.: November 1999); Domestic Working Group, Grant Accountability Project, *Guide to Opportunities for Improving Grant Accountability* (Washington, D.C.: October 2005).

<sup>14</sup>Programmatic monitoring is conducted by federal grant program staff and includes, among other requirements, a general review of grant compliance and grantee progress.

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granting agencies, including those tasked with assessment, as well as grantees responsible for measuring the effectiveness of grant programs for OVW.

We conducted this performance audit from May 2011 to July 2012 in accordance with generally accepted government auditing standards.<sup>15</sup> 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 the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Appendix I contains further information on our scope and methodology.

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## Background

DOJ awards federal financial assistance to state and local governments, for-profit and nonprofit organizations, tribal jurisdictions, and educational institutions to help prevent crime, assist victims of crime, and promote innovative law enforcement efforts. Federal financial assistance can take the form of discretionary grants, formula grants, cooperative agreements, and payment programs, which all are generally referred to as grants. Grant programs are generally created by statute and funded through annual appropriations. As such, Congress has a central role in determining the scope and nature of federal financial assistance programs. In addition, the Office of Management and Budget (OMB) establishes general guidance which governs administration of all such federal financial assistance and DOJ has flexibility in how to administer assistance that is discretionary in nature.

In fiscal year 2010, DOJ provided direct grant funding to nearly 11,000 grantees.<sup>16</sup> Table 1 describes the various forms of federal financial assistance.

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<sup>15</sup>We reported some of our findings in February 2012. See [GAO-12-342SP](#).

<sup>16</sup>Grant recipients awarded funds directly from OJP and OVW may in turn award them to subrecipients. The COPS Office Prohibits subawarding. In the case of the JAG State program, for example, grantees are required to pass through—or award through a subgrant—a predetermined portion of the funding to local communities. Direct grant funding includes all funding awarded by DOJ, including awards made to recipients from DOJ's various payment programs.

**Table 1: Types and Examples of Federal Financial Assistance**

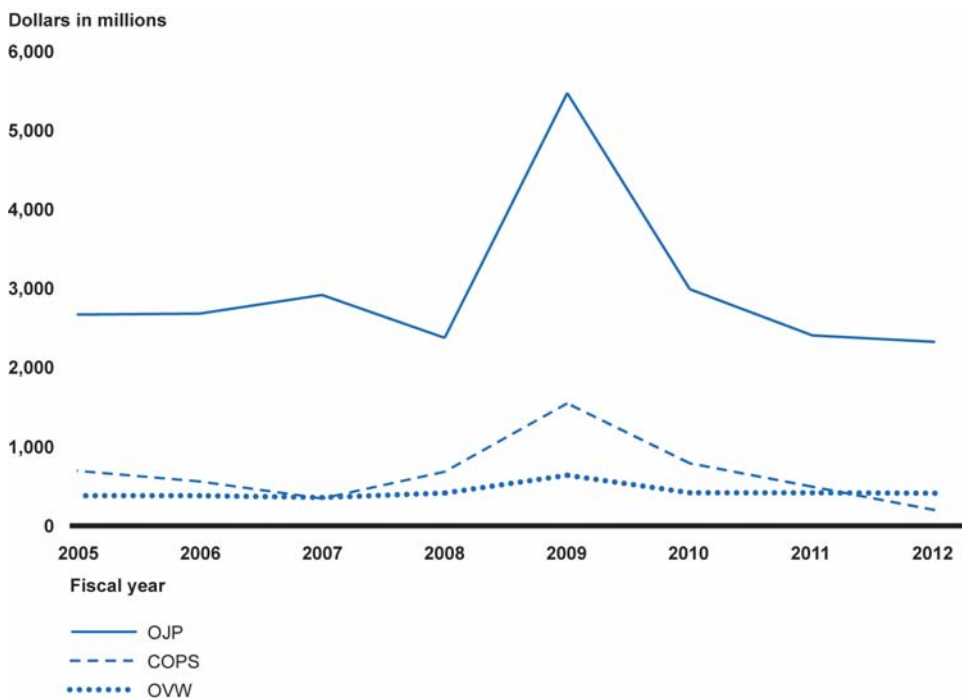
Types of assistance	Examples
<p><b>Discretionary grant:</b> Applicants generally compete for funding that agencies award at their discretion.</p>	<p><i>Enhanced Collaborative Model to Combat Human Trafficking</i> funds sites that use a comprehensive approach to combating all forms of trafficking—sex trafficking and labor trafficking of foreign nationals and U.S. citizens (male and female, adults and minors).</p>
<p><b>Formula grant:</b> Recipients and award amounts are generally based on statutorily defined calculations that may incorporate a state’s population and violent crime rate. Formula grants are usually administered and managed by state administering agencies. States use part of their grant to pass through their funds to local subrecipients. These subrecipients may be nonprofit organizations or other units of government.</p> <p>Formula grants can take the form of either <b>block grants</b> or <b>categorical grants</b>. Block grants are generally broad in scope and allow the states discretion in the use of the grant funds. Categorical grants are generally limited to more narrowly defined activities.</p>	<p><i>Edward Byrne Memorial JAG State Grant Program</i> supports all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information-sharing initiatives. JAG-funded projects may address crime through the provision of services directly to individuals or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures.</p>
<p><b>Cooperative agreements:</b> Typically awarded at DOJ’s discretion. According to OJP, a cooperative agreement is a legal instrument that permits DOJ to transfer money or something of value to accomplish a public purpose of support authorized by federal statute and used when substantial involvement of DOJ may be required in completion of the grantee’s activity.</p>	<p><i>Violence Against Women Act (VAWA) Measuring Effectiveness Initiative</i> supports, among other things, the collection and documentation of performance information to measure the work of OVW grantees nationwide.</p>
<p><b>Payment programs:</b> Provide recipients with funds for specific purposes. These are unique types of programs that provide funds for designated purposes and do not involve activities after the funding has been awarded.</p>	<p><i>Southwest Border Prosecution Initiative</i> reimburses state and local governments for their costs associated with the prosecution and pretrial detention of federally initiated criminal cases that are declined by U.S. Attorneys’ offices and referred to state and local jurisdictions for prosecution.</p>

Source: GAO analysis of DOJ information.

DOJ administers its grant programs through three granting agencies—OJP, OVW, and the COPS Office. Appendix II illustrates this organization. OJP is the largest of DOJ’s granting agencies and in fiscal year 2011 had approximately \$2.4 billion in funding for grants. Its mission to develop the nation’s capacity to prevent and control crime, administer justice, and assist crime victims is broader than that of OVW or the COPS Office. For example, OJP’s bureaus and offices administer grant programs that address victim assistance, technology and forensics, and juvenile justice, among other things. The COPS Office had approximately \$495 million in funding for grants in fiscal year 2011, and its grant programs focus on advancing community policing. OVW had approximately \$420 million for grant awards in fiscal year 2011. OVW administers grant programs related to domestic violence, dating violence, sexual assault, and stalking. Trends in amounts appropriated to these DOJ components since fiscal year 2005 for grant funding are illustrated in figure 1. For additional

information on the structure, purpose, and funding of DOJ granting agencies, see appendix III.

**Figure 1: DOJ Grant Funding Appropriated from Fiscal Years 2005 through 2012**



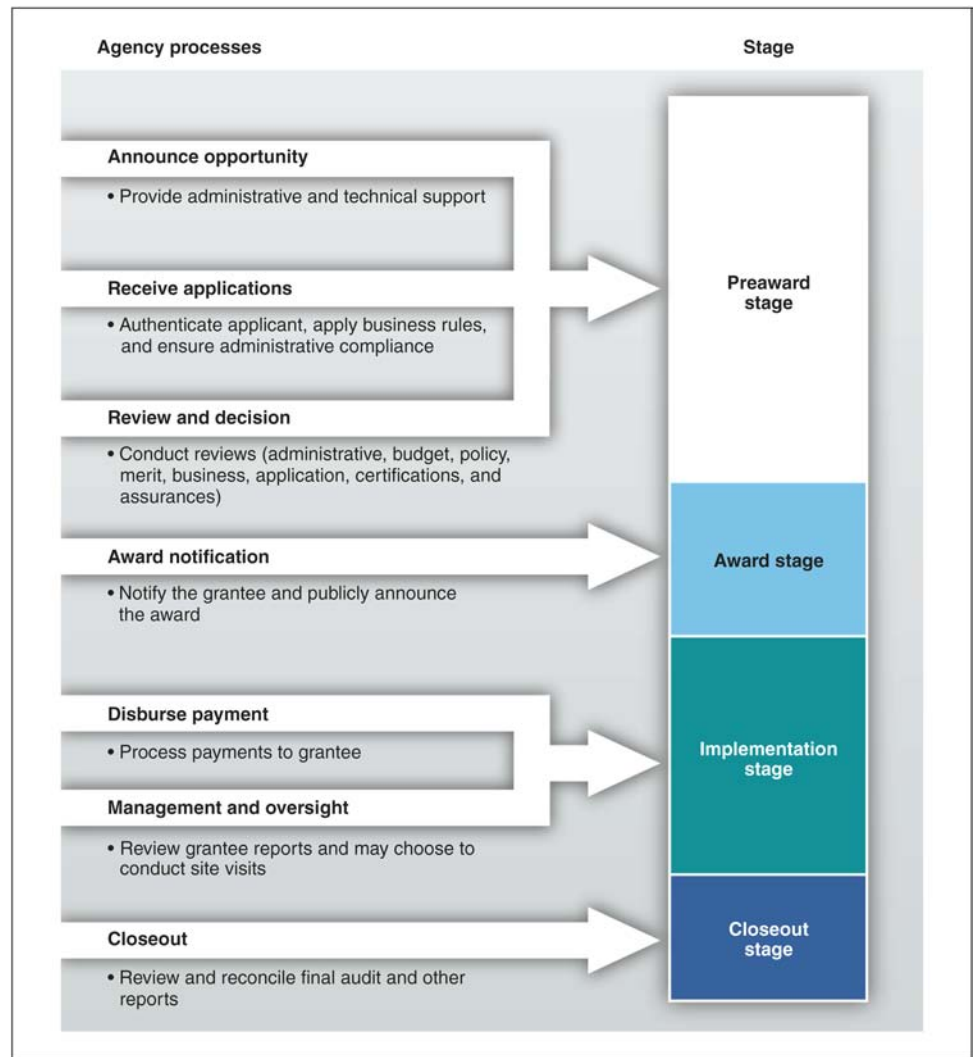
Source: GAO analysis of DOJ data.

Note: Funding levels in fiscal year 2009 include amounts appropriated through the American Recovery and Reinvestment Act of 2009. See Pub. L. No. 111-5, 123 Stat. 115, 129-30. These amounts do not reflect any applicable rescinded, reprogrammed, or transferred funding.

## The Grant Life Cycle

The grants that OJP, OVW, and the COPS Office award generally follow a similar life cycle, including pre-award, award, implementation, and closeout stages, which is shown in figure 2.<sup>17</sup>

**Figure 2: Grant Life Cycle of Federal Awarding Agency**



Source: GAO.

<sup>17</sup>GAO, *Federal Grants: Improvements Needed in Oversight and Accountability Processes*, [GAO-11-773T](#) (Washington, D.C.: June 23, 2011).

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In the pre-award phase for a competitive grant, the agency announces the grant opportunity with a grant solicitation, which notifies potential applicants of the grant's purpose, the terms of the award, the amount available, and the eligibility criteria, among other information. During the pre-award phase, the agency also receives and reviews applications and makes award decisions based on requirements set by statute and the grantor agency, as appropriate. Once the agency makes the award, it must report the grant information to USASpending.gov.<sup>18</sup>

During the implementation stage, the agency is responsible for monitoring the grant. After the end date of a grant, the closeout process should ensure that each recipient has met all of the grant's financial requirements, returned any unused funds, and provided final reports. OJP and OVV use a web-based system—the Grants Management System (GMS)—to manage this process, while the COPS Office uses a separate COPS Management System (CMS), which is a desktop application that communicates with a centralized database. In our June 2011 report on the grant life cycle, we noted that effective internal control systems are important at each stage in the process.<sup>19</sup>

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## Grant Monitoring and Assessment

OJP, OVV, and the COPS Office are responsible for monitoring their grants to ensure that the grants are being implemented as intended and that grantees are compliant with statutory or regulatory requirements as well as any applicable policy guidelines. The granting agencies conduct programmatic grant monitoring by collecting information through telephone calls to grantees, file reviews of the documents and reports that grantees submit, and on-site visits to monitor grantees' activities at their locations. OJP's Office of the Chief Financial Officer provides fiscal policy guidance and financial monitoring of grantees for the three agencies.

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<sup>18</sup>OMB established USASpending.gov in 2007 to comply with the Federal Funding Accountability and Transparency Act (FFATA) of 2006. See Pub. L. No. 109-282, § 2, 120 Stat. 1186. FFATA required OMB to ensure the existence and operation of a single searchable website that includes for each federal award: (1) the name of the entity receiving the award, (2) the amount of the award, (3) information on the award including transaction type and funding agency, (4) the location of the entity receiving the award and the primary location of performance under the award, and (5) a unique identifier of the entity receiving the award; among other information. As of October 2010, USASpending.gov has been updated to include first-tier subaward data, such as subawards states may distribute using a DOJ grant that was awarded to the state.

<sup>19</sup>[GAO-11-773T](#).

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Financial monitoring generally consists of reviewing expenditures of grantees compared with their approved budgets and allowable grant expenditures, and reviewing compliance with grant requirements such as the submission of required grant reports.

In addition, pursuant to the Violence Against Women Act of 2000, the Attorney General reports biennially on the effectiveness of OVW grantee activities carried out with VAWA grant funds.<sup>20</sup> To meet this requirement, OVW entered into a cooperative agreement with a university to develop and implement reporting tools to measure the effectiveness of projects and activities that OVW funds through its grants. In 2006, the Violence Against Women and Department of Justice Reauthorization Act of 2005, established an Office of Audit, Assessment, and Management (OAAM) within OJP and gave it statutory authority to provide additional oversight for OJP and the COPS Office programs, as well as any other DOJ grant program the Attorney General considers appropriate.<sup>21</sup> DOJ's Acting Associate Attorney General approved the organizational structure of OAAM in 2007, the same year the office became operational and was staffed. The office was not fully staffed until 2009, but OJP reports that as of May 2012, its staff level is 20 percent below the office's authorized number of positions.

Currently, OAAM oversees OJP and the COPS Office granting activities. According to OJP, among its other activities, OAAM has the following four main responsibilities (see app. V for more details):

1. ensures financial grant compliance and auditing of OJP's internal controls to prevent waste, fraud, and abuse;

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<sup>20</sup>Specifically, the Violence Against Women Act of 2000 provided that the Attorney General or Secretary of Health and Human Services, as applicable, shall require grantees under any program authorized or reauthorized under the act to report on the effectiveness of the activities carried out with amounts made available for the program. See Pub. L. No. 106-386, Div. B, § 1003(a), 114 Stat. 1464, 1491 (2000) (codified at 42 U.S.C. § 3789p(a)). It further required the Attorney General or Secretary, as applicable, to report biennially to the Committees on the Judiciary of the Senate and House of Representatives on the grant programs described, including any information reported by grantees. See 42 U.S.C. § 3789p(b).

<sup>21</sup>See Pub. L. No. 109-162, § 1158, 119 Stat. 2960, 3114-16 (2006) (codified as amended at 42 U.S.C. § 3712h).



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2. conducts program assessments of OJP and COPS Office grant programs;
  3. oversees programmatic monitoring activities of OJP and COPS Office; and
  4. serves as a central source for OJP grant management policy.
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## DOJ Grant Programs Overlap, Contributing to the Risk of Unnecessarily Duplicative Grant Awards for the Same or Similar Purposes

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### DOJ's Grant Solicitations Overlap across 10 Key Justice Areas

We reviewed all 253 of the fiscal year 2010 grant solicitations that OJP, OVW, and the COPS Office published on their respective websites and found overlap across 10 justice areas—as table 2 illustrates. These solicitations announced funding available to grantees for criminal and juvenile justice activities, including direct assistance for crime victims and the hiring of police officers. These solicitations also announced funding available for grantees to collect criminal justice data, conduct research, or provide related training and technical assistance.<sup>22</sup> We developed these 10 categories of justice areas after reviewing comparable justice areas identified within OJP's CrimeSolutions.gov website, which OJP officials stated covers a variety of justice topics, including some topic areas that OVW and the COPS Office fund; OJP's Fiscal Year 2010 Program Plan; and other materials from OVW and the COPS Office, such as justice

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<sup>22</sup>The 253 solicitations that we reviewed in August 2011 represent those for new grant programs available in fiscal year 2010 that agency officials told us were archived on their websites. These solicitations are in addition to grant programs that DOJ continues to administer from prior fiscal years or more recently began administering. Because DOJ's grant awards can last from 1 to 5 years, the total number of active DOJ grant programs can be higher than what is presented in table 2, which is a single year of grant program solicitations.

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program themes from their respective websites. Within the justice areas, a variety of activities—including research, direct service provision, or technical assistance—can be conducted. We examined the purpose areas of the 253 grant solicitations and then categorized them by justice area.

In conducting this analysis, we recognize that overlapping grant programs across common programmatic areas result in part from authorizing statutes, and that overlap itself may not be problematic. However, the existence of overlapping grant programs is an indication that agencies should increase their visibility of where their funds are going and coordinate to ensure that any resulting duplication in grant award funding is purposeful rather than unnecessary. Overlap and the associated risk of unnecessary duplication occur throughout the government, as we have reported previously, and are not isolated to DOJ.<sup>23</sup> However, when coupled with consistent programmatic coordination, the risk of unnecessary duplication can be diminished.

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<sup>23</sup>[GAO-12-342SP](#).

**Table 2: Breakdown of Fiscal Year 2010 DOJ Grant Solicitations by Granting Agency and Justice Area**

Component / program office	Justice Area										
	Victim assistance	Technology and forensics	Juvenile justice	Enhancing policing	Justice information sharing	Courts	Community crime prevention strategies	Mental illness, substance abuse, and crime	Corrections, recidivism, and reentry	Multi-purpose <sup>a</sup>	Total
<b>COPS</b>	0	1	0	2	0	0	3	1	0	0	<b>7</b>
<b>Joint<sup>b</sup></b>	0	0	1	0	0	0	0	0	2	3	<b>6</b>
<b>OVW</b>	15	0	0	0	0	1	0	0	0	1	<b>17</b>
<b>OJP<sup>c</sup></b>											
<i>BJA</i>	2	2	0	7	3	7	3	6	7	5	<b>42</b>
<i>BJS</i>	5	2	2	3	6	4	1	1	4	2	<b>30</b>
<i>CCDO<sup>d</sup></i>	0	0	0	0	0	0	2	0	0	0	<b>2</b>
<i>NIJ</i>	3	36	0	4	0	1	4	0	5	8	<b>61</b>
<i>OJJDP</i>	8	0	30	7	1	8	4	0	0	3	<b>61</b>
<i>OVC</i>	23	0	0	0	0	0	0	0	0	0	<b>23</b>
<i>SMART</i>	0	0	0	0	2	0	0	0	2	0	<b>4</b>
<b>Total solicitations</b>	<b>56</b>	<b>41</b>	<b>33</b>	<b>23</b>	<b>12</b>	<b>21</b>	<b>17</b>	<b>8</b>	<b>20</b>	<b>22</b>	<b>253</b>
<b>Total award amount (in millions)<sup>e</sup></b>	<b>\$872</b>	<b>\$325</b>	<b>\$264</b>	<b>\$386</b>	<b>\$98</b>	<b>\$77</b>	<b>\$77</b>	<b>\$53</b>	<b>\$430</b>	<b>\$810</b>	<b>\$3,393<sup>f</sup></b>

Source: GAO analysis of DOJ information.

Notes: Solicitations in this table reflect those for direct assistance, such as funds DOJ provides for the hiring of police officers, as well as those for research, data collection, and technical assistance on the related justice areas.

<sup>a</sup>Multipurpose solicitations were solicitations for grants that addressed more than one justice area within a single solicitation.

<sup>b</sup>Joint refers to solicitations issued jointly by multiple program offices, components, or departments (e.g., DOJ and the Department of Health and Human Services, or DOJ's Bureau of Justice Assistance and Office of Juvenile Justice and Delinquency Prevention).

<sup>c</sup>OJP is composed of a number of smaller bureaus and offices. BJA is the Bureau of Justice Assistance; BJS is the Bureau of Justice Statistics; CCDO is the Community Capacity Development Office; NIJ is the National Institute of Justice; OJJDP is the Office of Juvenile Justice and Delinquency Prevention; OVC is the Office for Victims of Crime; and SMART is the Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking Office.

<sup>d</sup>Federal funding reductions in fiscal year 2011 included CCDO's Weed and Seed Program. Without funding for this program, CCDO closed, and all remaining open, active CCDO grants were transferred to and are presently managed by BJA effective June 6, 2011.

<sup>e</sup>Actual amount awarded to grantees in millions. Total award amounts will not sum because of rounding.

<sup>f</sup>This amount excludes benefits paid through DOJ's Public Safety Officers' Benefits Program.

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As table 2 illustrates, we found overlap across the various DOJ grant programs. For example, 56 of DOJ's 253 grant solicitations—or more than 20 percent—were providing grant funds available for activities related to victim assistance or to support the research and prevention of violence against women. Eighteen of these 56 programs were administered by offices other than OVW and OJP's Office for Victims of Crime.<sup>24</sup> In addition, more than 50 percent of all grant solicitations provided funding that could be used in support of the same three justice areas—victim assistance, technology and forensics, and juvenile justice—indicating concentrated and overlapping efforts. The justice area with the least overlap was juvenile justice, with 30 of 33 grant programs administered by the Office of Juvenile Justice and Delinquency Prevention.

There are some instances in which overlap occurs because of the statute that established programs. Further, we recognize that overlap among DOJ's grant programs may be desirable because such overlap can enable DOJ's granting agencies to leverage multiple funding streams to serve a single justice purpose. However, coordination across the administering granting agencies is critical for such leveraging to occur. In the section below, we discuss the ways in which overlapping grant programs increase the risk of unnecessarily duplicative grant awards for the same or similar purposes. In subsequent sections, we discuss the steps DOJ has taken to enhance coordination and some ways in which DOJ's efforts can be improved.

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### In Some Instances, DOJ Awarded Grant Funding from Overlapping Programs to the Same Applicants for the Same or Similar Purposes

We found that in some instances, DOJ's granting agencies awarded multiple grants to the same grantees for the same or similar purposes. Applicants can apply directly to DOJ for funding through a variety of grant programs that DOJ announces annually. Recipients of such grant awards are referred to as prime grantees. Since many of DOJ's grant programs allow prime grantees to award subgrants, applicants also can apply directly to a prime grantee for award funding. As a result, prime grantees receiving money from DOJ through one funding stream also can be

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<sup>24</sup>OVW's mission is to provide federal leadership in developing the nation's capacity to reduce violence against women and administer justice for and strengthen services to victims of domestic violence, among others. OVC's mission is to enhance the nation's capacity to assist crime victims and to provide leadership in changing attitudes, policies, and practices to promote justice and healing for all victims of crime.

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subgrantees receiving money from a prime grantee through another funding stream. If an applicant, either as a prime grantee or as a subgrantee, receives multiple grant awards from overlapping programs, the risk of unnecessary duplication increases since the applicant may receive funding from more than one source for the same or similar purpose without DOJ being aware that this situation exists. Such duplication may be unnecessary if, for example, the total funding received exceeds the applicant's need, or if neither granting agency was aware of the original funding decision.

After reviewing a sample of 26 grant applications from recipients who received funds from grant programs we identified as having similar purpose areas, we found instances where applicants used the same or similar language to apply for multiple streams of funding. For example, one grant recipient applied for funding to reduce child endangerment through cyber investigations from both the COPS Office's Child Sexual Predator (CSPP) Program<sup>25</sup> and OJP's Internet Crimes Against Children (ICAC) program. In both of these applications, the applicant stated that it planned to use the grants to increase the number of investigations in the state, provide training for cyber crime investigations, serve as a forensic resource for the state, and establish an Internet safety program. Further, included in this applicant's proposed budgets for both funding streams were plans to purchase equipment, such as forensic computers and the same specialized software to investigate Internet crimes against children. Another grant recipient from a different jurisdiction also applied for funding from OJP and the COPS Office programs to support the same types of investigations. In a third instance, an applicant received fiscal year 2010 grant funding for planned sexual assault victim services from both OJP's Office for Victims of Crime and OVW. The applicant used similar language in both applications, noting that it intended to use the funding to support child victim services through its child advocacy center.

After we shared these examples with DOJ, DOJ officials followed up with the grant recipients involved and reported to us that the grantees were not using awarded funds for duplicative purposes—which DOJ defines as grantees using funds to pay for the exact same item. However, such follow-up for the purpose of assessing duplication is not a routine practice

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<sup>25</sup>DOJ's fiscal year 2013 performance budget justification does not include a request for funding to continue this grant program.

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for DOJ. Further, DOJ's narrow definition of duplication curtails it from assessing the use of funds for the same or a similar overall purpose on a grant project.

In fiscal year 2010, DOJ's three granting agencies awarded nearly 11,000 prime grant awards,<sup>26</sup> but officials told us that they do not consider the flow of grant funds to subgrantees when making grant award decisions.<sup>27</sup> Because DOJ does not have visibility of the flow of funds to these recipients, agency officials were not positioned to tell us what activities, or for what purposes, the subgrantees were spending their federal funds. Thus, to obtain more information, we surveyed JAG SAAs, who are responsible for managing the subgrants they make, to obtain information related to the purpose areas of their funding.<sup>28</sup>

In our survey, we asked the JAG SAAs if they or their subgrantees used grant funding in fiscal year 2010 for key justice areas such as funding sex offender registry notification systems; correctional officer salaries, and sexual assault services; purchasing bullet-resistant vests; and hiring police officers. DOJ supports all of these areas through JAG, as well as through targeted grant programs specifically addressing each of these topics. On the basis of survey responses, we found several instances where SAAs reported that JAG funds were used to support activities that could have been funded through other DOJ grants. For instance, 11 of 50 responding SAAs, or 22 percent, reported that they or their subgrantees used JAG funding to support correctional officer salaries. Further, 23 of

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<sup>26</sup>This number includes all formula, discretionary, and payment program awards.

<sup>27</sup>The public website USASpending.gov is designed to make such information transparent.

<sup>28</sup>Survey of Indigent Defense Funding from Byrne Memorial Justice Assistance Grants, GAO (2012). This survey and the results are published in *Indigent Defense: Surveys of Grant Recipients, Select Tribes, and Indigent Defense Providers* GAO-12-661SP, May 2012, an E-supplement to GAO-12-569, GAO-12-661SP (Washington, D.C. May 30, 2012). The survey was conducted to support the GAO report: *Indigent Defense: DOJ Could Increase Awareness of Eligible Funding and Better Determine the Extent to Which Funds Help Support This Purpose*, GAO-12-569 (Washington, D.C.: May 9, 2012). "Indigent defense," as we used the term in that report, refers to direct and indirect activities that help ensure indigent defendants are afforded counsel in criminal cases, and includes activities such as hiring additional public defenders, investigators, or other support staff; providing training for public defenders; and making technological improvements in defenders' offices or systems. In fiscal year 2010, all SAA JAG recipients, except for U.S. territory SAAs, subawarded some of their awards. Thirty-two of the 50 state SAAs subawarded a majority of their JAG funding. More information on the survey is included in appendix I.

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the 50 SAAs, or nearly 50 percent, reported that they or their subgrantees used JAG funding to hire police officers, even though a separate DOJ program dedicates funding exclusively to hiring law enforcement personnel.<sup>29</sup>

The survey results indicate an increased risk of DOJ funding unnecessarily duplicative grant awards. If DOJ were aware that an applicant had received JAG funding through a subgrant to conduct community policing patrols, DOJ would be better positioned to decide whether that applicant should receive additional funding as a prime grantee from its community policing discretionary grant program. The results from our site visits confirmed this heightened risk. For example, in one state we visited, a county had received a JAG program subaward and used the funding for its officers to conduct community policing. The same county also received a COPS Office hiring grant and used the funding for an officer to conduct community policing.<sup>30</sup> Additionally, the largest city in this county received a COPS Office hiring grant to conduct community policing. Because this city received the COPS Office funding to conduct community policing and grant-supported officers conducted patrols in geographical areas that overlapped with areas in the county already served by JAG-funded police officers, three DOJ grant awards were used to provide community policing to overlapping areas in the county. During the course of our audit work, COPS Office officials told us that community policing is not an activity but rather a philosophy for how policing should be conducted. As such, the officials consider multiple awards to the same communities to be complimentary. Since the COPS Office does not routinely consider the variety of federal funding that current and prospective grantees already use or may soon benefit from before making grant award decisions, they are not positioned to determine whether such funding arrangements are complementary. Further, officials from two additional counties in this state told us they

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<sup>29</sup>Eight of the 50 responding SAAs, or about 16 percent, reported that they or their subgrantees used JAG funding to support sex offender registry and notification systems; 11 out of the 50, or 22 percent, reported JAG funding was used to support sexual assault services; 15 out of the 50, or 30 percent, reported funding was used to support bullet-resistant vest purchases.

<sup>30</sup>The COPS Office hiring grant awarded to this county was for fiscal year 2009. COPS Office hiring grants last up to 3 years, and the county used the grant in fiscal years 2010 and 2011 as well. These grants support the hiring or the rehiring of career law enforcement officers to increase community policing and crime prevention strategies.

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received funding for drug court–assisted substance abuse treatment and mental health counseling through both a JAG program subaward and a grant directly from OJP’s Adult Drug Court Grant Program. Officials from one of these counties informed us that they received so much DOJ funding from the two grant programs that it exceeded the county’s need and they planned to return a portion to DOJ.<sup>31</sup>

The IG has previously identified the risk of OJP and the COPS Office funding duplicative grant awards. For example, in 2003, the IG identified duplication between the COPS Office Hiring Program and the Local Law Enforcement Block Grant Program, the predecessor to the JAG grant program. The IG reported that while the COPS Hiring Grant program is required to advance community policing, the Local Law Enforcement Block Grant Program grants are sometimes used for the same or similar purposes. According to the IG, in such cases the grants are duplicative.<sup>32</sup> In 2010, the IG reported that it had identified potential overlap between the COPS Office Hiring Recovery Program and OJP’s JAG Formula Program and Edward Byrne Competitive Grant Program. As a result, the IG recommended that the COPS Office work with OJP to avoid duplication of future funding by coordinating closely on grantee selection decisions, as discussed later in this report.<sup>33</sup>

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<sup>31</sup>According to DOJ officials, existing oversight mechanisms, such as programmatic and financial monitoring, as well as IG audits, help them ensure that grantees only expend federal financial assistance for allowable costs approved by DOJ in applicants’ budgets.

<sup>32</sup>U.S. Department of Justice Office of the Inspector General, Audit Division, *Streamlining of Administrative Activities and Federal Financial Assistance Functions in the Office of Justice Programs and the Office of Community Oriented Policing Services*, Audit Report 03-27 (Washington D.C.: Aug. 2003).

<sup>33</sup>U.S. Department of Justice Office of the Inspector General, Audit Division, *A Review of the Selection Process for the COPS Hiring Recovery Program*, Audit Report 10-25 (Washington D.C.: May 2010).



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## DOJ Has Taken Actions That Address Overlap in Grant Programs but Could Further Reduce the Risk of Unnecessary Duplication in Grant Funding

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### DOJ Has Taken Some Action to Consolidate and Coordinate Similar Grant Programs

According to DOJ officials, the statutory creation of grant programs with similar purposes requires grant design coordination within and among DOJ's granting agencies to limit the risk of unnecessary duplication from overlapping programs. The primary purpose of consolidation or coordination may not be to limit this risk, but officials reported that reducing the risk may be a secondary benefit. Officials from all three granting agencies stated that they meet with one another to coordinate the goals and objectives of their grant programs, especially joint grant programs that they believe are complementary. For example, the Bureau of Justice Assistance and the Office for Victims of Crime issued a joint solicitation for anti-human trafficking programs where each office issued separate awards based on coordinated proposals from collaborating police departments and community-based victim service organizations. Further, according to officials, DOJ recently launched the Coordinated Tribal Assistance Solicitation to provide a single application for most of DOJ's tribal grant programs.

Consolidating two programs with similar purposes into one, with unified management, is the most comprehensive way to reduce overlap, according to DOJ officials. However, they stated that the statutory creation of grant programs with similar purposes can create administrative challenges because in many cases, DOJ must seek statutory authorization to discontinue or consolidate enacted programs that DOJ believes may be overlapping. Officials told us they have sought congressional action in a few instances for these purposes and will continue to do so, but because the process is complex, they have also taken administrative steps on an ad hoc basis to mitigate overlap of purpose areas as illustrated in table 3.

**Table 3: Consolidation and Coordination of DOJ Grant Programs and Illustrative Examples**

<p><b>Consolidation:</b> Statutory authority is generally required to merge two or more existing grant programs. Once programs have been consolidated, a single DOJ office announces and manages the newly merged grant program.</p>	<ul style="list-style-type: none"> <li>In accordance with DOJ’s fiscal year 2012 appropriations act, OVW will consolidate four existing youth victim-oriented grant programs into a single program.<sup>a</sup> By creating one solicitation, an OVW official reported that the grant application process may be streamlined, and cost efficiencies related to reviewing applications may be achieved (see app. IV for more details).</li> </ul>
<p><b>Coordination:</b> Congressional action is not required, and officials explained two approaches they have taken to improve coordination. The first approach is “blending,” whereby DOJ coordinates grant management from within a single office while keeping funding streams from separate appropriations distinct. The second approach is “braiding,” whereby DOJ continues to manage the programs through separate offices and separate funding streams but issues a single grant announcement.</p>	<ul style="list-style-type: none"> <li>OJJDP coordinated 9 of its youth grant programs to create 1 grant program known as SafeFutures. The program assisted recipients and communities through a single program (see app. IV for more details).</li> <li>In fiscal year 2010, DOJ coordinated several of its tribal grant programs to create the Coordinated Tribal Assistance Solicitation (CTAS), which involves OJP’s, OVW’s, and the COPS Office’s tribal grant programs. The CTAS program combined 10 DOJ tribal grant program solicitations into 1 for purposes of streamlining the application and selection process, and OJP officials reported reducing the administrative burden on its applicants as a result. These programs continue to be managed by separate DOJ bureaus and offices (see app. IV for more details).</li> </ul>

Source: GAO analysis of DOJ information.

<sup>a</sup>See Pub. L. No. 112-55, Div. B, 125 Stat. 552, 612-13 (2011).

Officials stated that they meet with one another when they determine it is needed to coordinate the goals and objectives of their grant programs, especially those programs that they believe are complementary. In addition, an OJP official told us that in 2010 the office prioritized coordination as 1 of its 10 management goals and cited benefits that resulted from this focus, including reduced administrative costs, fewer grant solicitations, and a reduced number of competitive grant peer reviews. However, these officials told us that these coordination and consolidation efforts, as well as those illustrated in table 3, do not occur routinely.

**DOJ Has Not Assessed Its Grant Programs to Identify and Reduce Overlap**

Even with efforts to coordinate its programs, DOJ officials told us they have not conducted a formal assessment or study of their grant programs to determine if and to what extent they overlap and where opportunities exist to more consistently pursue consolidation or better coordinate grant programs. Further, we found that coordination among granting agencies occurred on an ad hoc basis and that without an assessment of its overlapping programs, DOJ was not well positioned to identify and describe areas of potential for unnecessary duplication across its grant programs.

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A senior OJP official told us that the department had not formally assessed or studied its grant programs to determine the extent of overlap because of the significant investment of time and staff resources that it would require. DOJ officials emphasized that since these programs were statutorily established as distinct programs, they are not certain that any attempt at harmonization—beyond what they have already done—would be viable. For example, they said that in some cases, statutes creating what may appear to be similar programs also create very different eligibility criteria for grant applicants. Thus, the officials stated, some programs may not be easily merged through administrative efforts such as announcing similar grant programs in a single solicitation. We agree that similar grant programs may have unique features that could render grant consolidation or coordination impractical, but DOJ has not taken the steps to catalogue all of its programs across each of the three granting agencies, and then determine which have the potential to be consolidated or coordinated and what barriers might exist to achieve such changes.

The IG continues to include DOJ's grants management among its list of top challenges affecting the department, and in previous reports, has identified fragmentation and duplication among DOJ's granting agencies as an area of concern. Further, developing agency procedures to avoid grant duplication is one of the promising practices that the federal Domestic Working Group Grant Accountability Project suggested in its *Guide to Opportunities for Improving Grant Accountability*.<sup>34</sup> Given the specific knowledge of these grant programs' statutory authorities, their histories of funding certain types of activities, and the nuances related to their administration, officials within OJP, OVW, and the COPS Office are uniquely positioned to assess their programs for overlap. Doing so could yield positive dividends for the granting agencies and the department over the longer term. Specifically, such assessments could include understanding the areas in which individual granting agencies may be awarding funds for the same or similar purposes, determining whether these grant programs appropriately channel the department's resources across the justice areas it funds, and determining whether any existing overlap is desirable. By conducting an assessment of its grant programs of this kind, DOJ would be better positioned to take action, such as through consolidation and coordination of its programs, in a more

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<sup>34</sup>The Domestic Working Group is composed of 18 federal government inspectors general, other state and local audit organizations, and is chaired by the Comptroller General of the United States.

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systematic way to limit overlap and mitigate the risk of unnecessary duplication.

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### DOJ's Granting Agencies Do Not Have Policies and Procedures to Ensure Coordination to Limit the Risk of Unnecessary Duplication

OJP, OWW, and the COPS Office do not routinely share lists of current and potential awardees to consider both the current and planned dispersion and purposes of all DOJ grant funding before finalizing new award decisions. Not having routine coordination in the pre-award phase limits each of DOJ's granting agencies' visibility of the funds each respectively awards rather than to the overall flow of department dollars. Thus, in the instances where DOJ made multiple grant awards to applicants for the same or similar purposes, officials made these awards without always being aware of the potential for unnecessary duplication or whether funding from multiple streams was warranted. DOJ officials stated that their annual process to formulate budgets for grant administration, OJP's annual planning process to develop solicitations, and the department's overall grant oversight functions address the risks of unnecessary duplication in grant awards. However, these activities do not specifically relate to the pre-award phase when any potential for unnecessary duplication can best be avoided. DOJ officials also stated that they meet bi-monthly to discuss grantees on DOJ's High Risk List to avoid funding grantees who in the past have demonstrated deficiencies in properly managing their federal awards.<sup>35</sup> However, the purpose of these discussions is not to prevent or reduce duplication. Developing agency policies and procedures to avoid unnecessary grant duplication in the awarding of funds is one of the promising practices that the federal Domestic Working Group Grant Accountability Project suggested in its *Guide to Opportunities for Improving Grant Accountability*.

As a result of our work, OJP officials informed us that as of March 2012, they had begun to pilot solicitation language in two of its grant programs requiring grant applicants to disclose any pending applications submitted in the last 12 months for other federally funded assistance to support the

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<sup>35</sup>DOJ designates grantees as high risk based on a number of factors, including but not limited to, a history of unsatisfactory performance, financial instability, an inadequate financial management system, or nonconformance to terms and conditions of previous awards. Additional reporting requirements are imposed on high-risk recipients. OAAAM's Audit and Review Division coordinates the high-risk grantee list and works to either resolve the issues underlying the high-risk designation or to impose conditions on high-risk grantees to ensure appropriate stewardship of federal funds and enhance programmatic results.

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same costs associated with the same projects outlined in applicants' budgets. Additionally, officials stated they are currently developing a grant special condition for all fiscal year 2012 grant awards that would require grantees to report to OJP if they receive any funding for a specific project cost that is duplicative of the funding OJP provides.<sup>36</sup> OJP officials told us that if grantees report duplicative funding for a specific project cost, OJP staff will work with the grantees to ensure return of the OJP funds. We believe this requirement will improve OJP's ability to limit the risks of duplicative funding for single items; however, OJP continues to take a more narrow view of the term "duplication." OJP defines duplicative funding to include only instances where grantees are using federal money for the same exact item. In doing so, OJP excludes from its purview all federal funding that grant applicants have been awarded to carry out the same or similar activities within a proposed project. Thus, in making funding decisions without asking for information about and considering other sources of an applicant's federal funding to carry out the same or similar activities, OJP may be awarding funds for proposed projects that are already partially or fully funded. It may also be doing so at the expense of other applicants who, in the absence of other funding sources, may demonstrate to OJP greater financial need for their proposals. Further, DOJ's new approach—while an important step—relies solely on grantee reporting. By independently assessing its own lists of actual and prospective grantees prior to awarding funds, DOJ could have additional assurance that it is taking actions to mitigate the risk of unnecessary duplication.

In addition, OVW officials stated that for fiscal year 2013, they intend to require those applying to four of its grant programs to identify in their grant applications all federal funding that they recently applied for or have received. By enhancing visibility over various sources of grant funding, OVW would be better positioned to avoid unnecessary duplication in awarding grants for these four programs. It could also provide OVW with opportunities to best leverage OVW funding in a manner that complements other funding streams the applicant already has available or may soon receive. For example, if an applicant reports to OVW that it already receives money through a non-OVW grant to provide counseling services to victims, OVW can ensure that OVW funds are available for

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<sup>36</sup>Special conditions set forth specific terms that grantees must meet, in addition to the general conditions associated with the grant, in order to receive funds.

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other project-related activities such as providing training to counselors who serve victims. However, beyond what OJP is piloting and what OVW has proposed for four of its programs, DOJ generally does not require grant applicants to identify other funding that they have received or any pending funding yet to be awarded, including funding received through a subgrant.<sup>37</sup> Further, while the COPS Office's grants management system automatically includes information on other COPS Office funding a COPS Office applicant may already be receiving, it does not identify other DOJ grant funding or any other federal funding sources. As a result, DOJ's three granting agencies could take additional steps to increase their visibility over what applicants may already be receiving before awarding new funds.

OJP, OVW, and the COPS Office have not established policies and procedures requiring consistent coordination and information sharing among its granting agencies. Having such policies and procedures would provide guidance to DOJ granting agencies to help ensure they take action to mitigate the risks of unnecessary duplication before finalizing award decisions. By routinely coordinating to ensure the sharing of grant applications and potential grant awards among DOJ granting agencies prior to finalizing grant award decisions and documenting its methods for doing so, DOJ could also improve its oversight and better leverage information already at its disposal.

The IG recommended in August 2003 that OJP and the COPS Office establish procedures to coordinate to ensure that grantees do not receive funds for the same purpose from both agencies.<sup>38</sup> In response, OJP and the COPS Office signed a memorandum of understanding to establish procedures for avoiding duplication by coordinating grants and grant programs that were identified by the IG and grant programs where the

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<sup>37</sup>In fiscal year 2009, OVW required applicants from its OVW Recovery Act grant program to identify other sources of DOJ funding on their grant applications and as a grant special condition, required recipients to inform OVW if they receive any other DOJ funding during the term of the grant. This process was repeated for a different OVW grant program in fiscal year 2010. Additionally, OJP issued 2 grant program solicitations for fiscal year 2012 requiring applicants to report all pending federal and state grant applications which propose to support the same project and the same costs in both applications.

<sup>38</sup>U.S. Department of Justice Office of the Inspector General, Audit Division, *Streamlining of Administrative Activities and Federal Financial Assistance Functions in the Office of Justice Programs and the Office of Community Oriented Policing Services*, Audit Report 03-27 (Washington D.C.: Aug. 2003).

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potential for duplication exists. Further, the agencies committed to reviewing any new guidance affecting grants or grant programs where the potential for duplication exists. Specifically, for grants and grant programs identified as having potential for duplication, OJP and the COPS Office agreed to minimize potential duplicative grant awards in a manner consistent with statutory provisions, and include a grant award special condition requiring that grantees not use OJP and COPS Office grant funds to pay for the same expenses.<sup>39</sup> During the course of our audit work, we asked COPS Office and OJP officials for examples of the type of coordination they have been engaging in since the IG's recommendations. Officials provided evidence from fiscal year 2009, when they coordinated funding decisions with OJP prior to awarding grants for two similar grant programs funded under the Recovery Act.<sup>40</sup> However, in some cases, granting agencies continue to provide funding for the same or similar purposes without each being aware of the others' actions. Further, we examined grant special conditions for the COPS Office CSP program and OJP's ICAC grant program and neither agency included special conditions in the grant awards requiring grantees to identify and report duplication. However, the 2010 *COPS Child Sexual Predator Program Grant Owner's Manual* did include a requirement that grantees inform the COPS Office if they receive other funding for the same cost or service already funded by the COPS Office while their grant is underway. The *Grant Manager's Manual* used by OJP lists grant award special conditions, and except for the duplication condition that specifically applies to CTAS, there were no other grant duplication special conditions listed.

Officials from OJP and the COPS Office told us that state and local communities have expansive criminal justice needs and therefore they encourage applicants to seek out as much DOJ grant funding as possible, including from grant programs that may have similar objectives or allow

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<sup>39</sup>The IG's understanding of OJP and the COPS Office's approach to addressing the IG's recommendation, as stated in their response to the agencies' review of the report, was that the agencies will develop procedures to ensure that duplicative awards are not made to the same grantee for similar purposes.

<sup>40</sup>The American Recovery and Reinvestment Act of 2009 (Recovery Act), Pub. L. No. 111-5, 123 Stat 115, was enacted on February 17, 2009. See Pub. L. No. 111-5, 123 Stat. 115. Purposes of the act include promoting economic recovery, providing investments needed to increase economic efficiency, and stabilizing state and local government budgets to minimize and avoid reductions in essential services. DOJ awarded grants under a variety of Recovery Act grant programs.

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for similar activities. In some instances, DOJ may deem it appropriate for distinct grant programs to serve the same goal, or for one community or grantee to benefit from multiple streams of grant funding. For example, if DOJ granting officials are coordinating their activities across overlapping grant programs and are aware that a grantee is receiving funds from more than one DOJ program, making funding decisions of this kind may be warranted. However, DOJ's granting agencies are not routinely engaging in such coordination. Unless DOJ improves granting agencies' coordination, and considers information available on current, past, and prospective funding, it cannot know where all of its funding goes, how it is being or will be used, and whether it is awarding grant dollars in the most efficient way possible. Further, if the granting agencies are not aware of which recipients are receiving funds from multiple grants, they may be inadvertently awarding multiple grants that exceed the demonstrated need of a recipient or community at the expense of another applicant or community with similar demonstrated needs. In addition, they may be missing opportunities to award grants to recipients who may use funding in a complementary way, whereby funding may be leveraged by a grantee or a community to accomplish a single goal. With the exception of OVW's plan to have four grant program recipients identify all federal funding they receive and OJP's solicitation pilot and plan to have applicants identify duplicative cost items, DOJ does not have policies and procedures that require grant applicants to identify all sources of current or pending DOJ funding in their grant applications in a manner that provides DOJ a complete picture of DOJ grant project funding. If DOJ had (1) a coordinated approach to share applicants' funding intentions, and (2) policies and procedures to share lists of applicants that each granting agency plans to fund, DOJ could improve its understanding in the pre-award phase as to whether its funding would complement or unnecessarily duplicate other federal funding.

DOJ officials told us that the timeline for reviewing applications, making recommendations, and processing awards each year is compressed and that it would be difficult to build in the extra time and level of coordination required to complete an intradepartmental review for potentially unnecessary duplication of funding prior to making awards. The officials added that it would take even more time if granting agencies were to attempt a pre-award duplication review at the subgrantee level. Thus, officials told us that they rely upon post-award activities through grant monitoring, Single Grant Audits, and IG audits to determine if duplicative expenses have occurred after grants are under way. However, relying upon monitoring and external audits to identify duplication after it has occurred should not substitute for the mitigation of potential unnecessary



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duplication in the pre-award phase. We acknowledge that the time necessary to complete annual grant awards makes such a review process more difficult; however, actions to make coordination more consistent and efficient as well as the leveraging of grant award information, including subgrants, could help overcome this challenge. Moreover, using tools such as existing grant data available on USASpending.gov, which we address later in this report, could aid DOJ in validating other grant funding that grant applicants report and allow for an expedient way to search for subgrant funding. In addition, DOJ could limit its pre-award coordination to those grant programs that DOJ identifies as overlapping with other DOJ grant programs. For certain grant programs, OJP and OVW have taken important first steps to require grant applicants to report other sources of funding, but expanding this requirement to all grant programs across all granting agencies, such that every applicant would report both past and prospective sources of DOJ grant funding, could provide broader coverage and help DOJ better mitigate the risk of unnecessary duplication.

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### DOJ Uses Separate Grant Management Systems, a Fact That Limits Award Coordination

While OJP and OVW use a single grants management system called GMS, the COPS Office uses a separate grants management system—CMS—which limits the sharing of grant award information across the granting agencies.<sup>41</sup> Specifically, OJP, OVW, and the COPS Office use GMS and CMS to track and manage awards throughout the grant life cycle. For example, agency grant staff in OJP, OVW, and the COPS Office use their grant management systems to review and approve applications and to plan and document grant monitoring activities. Grantees use the grant management systems to submit financial status reports that include summary information on grant expenditures and program income as well as progress or performance reports. DOJ has spent about \$36 million from 2008 through 2010 to maintain and upgrade

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<sup>41</sup>There is a cross-DOJ system for financial management, the Financial Management Information System 2 (FMIS 2), that can be used to identify awards and grant disbursements, but it does not show the intended purpose of the grants or grant information related to grant activities grantees currently have under way.

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these two separate grants management systems, including about \$8 million for CMS and \$28 million for GMS.<sup>42</sup>

DOJ's continued use of two systems to manage grant programs impedes coordination because GMS and CMS are not linked with each other, and the agencies' access is limited to the grants management systems they utilize. OJP and OVW can access information through GMS about grants awarded by each other, but they cannot access CMS to see the grantees that have received COPS Office funds. As a result, these granting agencies cannot use these grants management systems to inform themselves of all of the funding DOJ has awarded or is preparing to award to a recipient and consider this information before making additional awards. According to an OJP official, over the long term, it would be helpful if GMS could connect to CMS. Pursuant to the statute establishing OAAM—the office overseeing programmatic grant monitoring and assessment across OJP and COPS Office programs—the Director of OAAM was required to establish and maintain a modern, automated system for managing all information relating to grants made under programs within its purview.<sup>43</sup> However, GMS and CMS remain distinct grant management systems in the department.

*Standards for Internal Control in the Federal Government* highlights the importance of program managers having access to operational and financial data to determine whether they are meeting their goals for accountability and efficient use of resources. In addition, the Domestic Working Group Grant Accountability Project's *Guide to Opportunities for Improving Grant Accountability* identified consolidating systems as a promising practice. Further, in 2010, the IG found that, as of 2009, OJP's Office of the Chief Financial Officer, which has oversight over the COPS Office, did not have access to basic data in CMS needed for financial monitoring site visits and other financial compliance reviews. The IG recommended that the COPS Office improve coordination with OJP by providing OJP additional grants management documentation for oversight

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<sup>42</sup>These costs include software and hardware upgrade acquisitions and maintenance but do not include costs such as user training for each system. In the case of GMS costs, a portion of the costs was capitalized from 2008 through 2013. Had those costs not been capitalized, GMS costs would appear higher for this 3-year period.

<sup>43</sup>See 42 U.S.C. § 3712h(g) (providing that the OAAM Director shall establish and maintain such a system in consultation with the chief information officer of the office).

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and monitoring, such as through remote access to CMS.<sup>44</sup> The IG concluded that oversight agencies should have direct, instant, and complete access to grant information, which is not provided using the current system, which relies on hard copies of documents. In response, COPS Office officials reported that they would provide OJP with real-time hard copy reports necessary to carry out oversight work and that CMS could be accessed only by employees using remote access to the COPS Office or through a COPS Office laptop.

DOJ contractors completed a gap analysis of CMS and GMS in 2006 to outline the differences—or gaps—between the two systems and propose solutions for reconciling them. At the time, the contractor found key gaps between the two systems related to business processes—in particular, programmatic grant monitoring, financial monitoring, and progress-reporting capabilities. Thus, the contractor recommended either building a new single grants system or maintaining the status quo because in the analysis, business process differences between OJP and the COPS Office were reportedly obstacles that made using either one of the two grants systems for both agencies untenable. Since 2007, OJP has upgraded GMS, which has closed some of the system gaps that the contractor initially identified, but the two systems remain distinct and unlinked.

According to COPS Office officials, CMS continues to better meet their needs than GMS could because CMS captures and stores data in such a way that it can be more easily queried than data in GMS and CMS uniquely aligns with COPS Office grant processes. This is helpful to the officials when the COPS Office is evaluating grant applications for its largest program, the COPS Hiring Program. Rather than evaluating qualitative grant project narratives through external peer review, the COPS Office considers quantitative data related to applicant fiscal distress, reported crime statistics, and community policing strategies when determining where to award COPS Hiring Program grants. Because COPS Hiring Program grant applicants use CMS to upload their data, COPS officials are positioned to use CMS for automated aggregation and analysis of applicant responses.

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<sup>44</sup>U.S. Department of Justice Office of the Inspector General, Audit Division, *A Review of the Selection Process for the COPS Hiring Recovery Program*, Audit Report 10-25 (Washington D.C.: May 2010).

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In contrast, OJP officials said that because of recent upgrades, GMS could be used or modified in order to query individual searchable elements. They also stated that variation in the information required by individual grant programs would not present an insurmountable barrier to unifying systems. In addition, GMS has served multiple agencies in the past and can be modified when circumstances warrant. For example, in 2010 and 2011, COPS Office officials successfully used GMS for awarding purposes under CTAS. According to OJP officials, the initial coordination with the COPS Office for CTAS purposes required additional modifications to GMS, but these were not onerous or costly. The officials said that with relative ease, after the modifications, OJP, OVW, and COPS Office grant managers all accessed GMS to perform some of the phases of the CTAS grant process. For example, GMS supports the management of CTAS by storing all applications, managing peer review comments, and registering awards once decisions are final. Besides OVW's use of GMS to award and manage its grants, the Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) also uses GMS to award and manage grants, though it has future plans to use a DHS grants system.<sup>45</sup> Further, OJP officials stated that GMS has a current storage capacity well in excess of what it currently uses. They also emphasized that OVW and FEMA have grant business processes that do not completely align with OJP's, but with small investments, OJP has been able to adjust GMS to accommodate OVW and FEMA.

In June 2012, DOJ officials informed us they had engaged a contractor to assess whether a single grants management system, among a range of other options, can best serve DOJ's granting agencies. They plan for the contractor to report back within 6 months of beginning the analysis and said that they envision the assessment including an evaluation of costs, benefits, and technical requirements, such as those needed to harmonize business processes. Engaging a contractor for this purpose is an important first step, and doing so could help DOJ make better investment decisions about the most efficient way to manage its grants systems, especially when it considers the costs and benefits of having fragmented grants systems. In the interim, however, DOJ could take a more immediate solution to foster information sharing across GMS and CMS by

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<sup>45</sup>Both OVW and FEMA pay OJP to use GMS through an interagency agreement, and the rates they have paid in the last 5 years have remained relatively stable.

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providing system access to appropriate OJP, OVW, and COPS Office staff—for example, through common login names and passwords, just as department staff have done in limited instances such as the CTAS Program.

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### DOJ Does Not Timely Submit Grant Data to USASpending.gov and Is Not Fully Leveraging the Website's Subgrant Award Information before Making Grant Award Decisions

DOJ's granting agencies are not submitting grant award information to USASpending.gov in a timely way. In accordance with the Federal Funding and Transparency Act of 2006 (FFATA), USASpending.gov was created to increase the transparency and accountability for federal funding awarded through contracts, loans, grants, and other awards.<sup>46</sup> OMB issued guidance on reporting the receipt and use of federal funds. OMB also launched USASpending.gov in December 2007 to allow the public to view federal spending and engaged the General Services Administration (GSA) to build and maintain USASpending.gov, among other FFATA-related websites.<sup>47</sup> In August 2010, OMB established guidelines for agencies related to the requirement for prime grantees to report all subgrants over \$25,000 in fiscal year 2011. The USASpending.gov website includes the subgrantees' names, geographical locations of funded activities, specific subgrant amounts, and the funded purposes. A GSA official told us that the FFATA reporting infrastructure is the first time that comprehensive federal grant and subgrant information, including DOJ grant information, has been made widely available on a single website. Through the steps that granting agencies, as well as the grantees, take to supply this website's content, the public and DOJ's granting agencies can better track the flow of funds and identify communities receiving funds from multiple streams.

OMB's FFATA guidance requires agencies to submit grant award data by the 5th of each month. USASpending.gov contains validation software used to validate agency data submissions, and if data are rejected, agencies receive automated notification. OMB guidance then requires agencies to resubmit the corrected data to USASpending.gov within 5

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<sup>46</sup>See Pub. L. No. 109-282, 120 Stat. 1186 (2006).

<sup>47</sup>To support OMB efforts, GSA hired a vendor to maintain the FFATA reporting infrastructure including the FFATA Subaward Reporting System (FSRS.gov), a federal government website used by federal contractors and grantees to submit data such as subaward information to USASpending.gov, and the USASpending.gov websites. In 2010, USASpending.gov logged 1.8 million website visits.

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working days of the rejection notification.<sup>48</sup> OJP manages submissions to USASpending.gov for all of DOJ—that is for OJP, OVW, and the COPS Office—and an OJP official reported that DOJ submits grant award information to USASpending.gov twice per month. However, more than a quarter of the grant award information that DOJ submitted to USASpending.gov in fiscal year 2011 was rejected and resubmission took more than 80 days after the fiscal year ended.<sup>49</sup> Figure 3 illustrates the flow of grant award information from both DOJ and grantees and some issues we identified related to DOJ’s fiscal year 2011 reporting.

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<sup>48</sup>Office of Management and Budget, *Memorandum for the Heads of Departments and Agencies: Guidance on Data Submission under the Federal Funding Accountability and Transparency Act*, M-09-19 (Washington, D.C.: June 1, 2009).

<sup>49</sup>DOJ typically submits batches of grant award information, and each batch can contain hundreds of distinct grant awards. Under current OMB guidelines, if more than 10 percent of the awards in the batch contain errors, such as mistakes in the codes uniquely assigned to grantees, the entire batch of grant award information is rejected. Upon receipt of the batch returned, DOJ is then charged with reviewing the entire batch and correcting the identified errors before GSA will post it.

**Figure 3. DOJ Grant and Subgrant Award Information Flow to USASpending.gov**



Source: GAO analysis of GSA and USASpending.gov data.

Agency reporting of prime grant award information in USASpending.gov is a critical step in the FFATA reporting process because prime grantees cannot upload their subgrant award information until it occurs. For fiscal year 2011, DOJ submitted 4,346 distinct prime grant award records to USASpending.gov; however, GSA rejected 1,152 of these because of incomplete or inaccurate data associated with some of these grant files, and DOJ did not resubmit the records within 5 working days as required

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under OMB guidance. Specifically, DOJ did not correct and resubmit the rejected records until December 22, 2011, which was after we raised this issue with DOJ and 83 days after the end of the fiscal year. Five out of 11 DOJ prime grantees we interviewed who had awarded subgrants indicated that, after searching, they could not view their prime DOJ grant awards on FSRS.gov or USASpending.gov and indicated that DOJ had not uploaded the information to the websites. Further, another prime grantee among the 11 with whom we spoke indicated that it was unaware that subgrant reporting was a requirement. As a result, these prime grantees were unable to submit their subgrant award information and thus were unable to comply with OMB subgrant reporting requirements. DOJ has taken action to help ensure that prime grantees and DOJ grants staff are aware of FFATA reporting requirements. For example, OJP offered FFATA reporting training for all DOJ grants staff and grantees, and all three granting agencies required a special condition in grant awards that included FFATA reporting requirements. These steps may have informed grantees of their FFATA responsibilities, but DOJ's untimely submission of grant award information to USASpending.gov led to prime grantees being unable to access their grant awards to submit their subgrant award information as required by OMB.

OJP officials stated that since 2007 they have been coordinating with OMB, other federal agencies, and contractors on issues related to reporting guidelines and other technical requirements related to subgrant reporting, but that it was not until August 2010 that OMB established guidelines for the collection and reporting of subgrant information. Nevertheless, OJP officials stated that the current allotment of 5 days for agencies to review and resubmit data that GSA originally rejected is an unreasonable time frame given the time-intensive nature of checking and correcting errors. Officials also noted that OJP would like to see GSA allow for the posting of individual records that pass system validation rather than waiting for entire blocks to be corrected at once before GSA will post award information to USASpending.gov. In addition, OJP officials indicated that the information prime grantees ultimately posted about their subgrantees was limited and in most cases very brief. As a result, the officials said they were not considering such information before making new awards.

We recognize that 5 days may not be adequate to correct errors in grant award information, but we also believe that timely submission of grant award information on USASpending.gov is key to transparency and the overall utility of the system for grant decision makers, the criminal justice community, Congress, and taxpayers. By DOJ ensuring that it submits its



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grant award information to USASpending.gov in as timely a manner as is possible, prime grantees' abilities to report their subgrant activities would likely improve. As a result, DOJ could have greater visibility over which subgrantees were using its money and for what purposes before DOJ makes its grant award decisions. Further, even if DOJ does not believe that the information that prime grantees ultimately post about their subgrantees is ideally descriptive in every instance, the information could provide DOJ with important details—that it currently does not consider or otherwise have access to before finalizing award decisions—related to how subgrantees are using their funds.

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## DOJ Could Benefit from Examining Its Programmatic Grant Monitoring and Assessment Functions and Considering Expansion of OAAM's Authorities

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### OAAM Uses Programmatic Grant Monitoring and Program Assessment for Grant Oversight, but Program Assessments Yield Richer Information

The statute establishing OAAM tasked the OAAM Director with selecting and carrying out program assessments of not less than 10 percent of the aggregate amount of grant funding awarded annually by OJP, the COPS Office, and any other grant programs carried out by DOJ that the Attorney General considers appropriate.<sup>50</sup> OAAM officials told us that to meet the directive to conduct program assessments, and in recognition of its own resource constraints, OAAM relies on the programmatic grant monitoring that OJP's and the COPS Office's grant staff already conduct. To oversee and track these monitoring efforts, OAAM develops and implements standards and protocols, including a framework and methodology for

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<sup>50</sup>See 42 U.S.C. § 3712h(b), (c).

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systematically identifying high-risk grantees.<sup>51</sup> OAAM also tracks OJP's and the COPS Office's monitoring progress and compares it against an established annual monitoring plan. For example, in its fiscal year 2010 annual report—the latest available—on both OJP and the COPS Office's monitoring goals and activities, OAAM found that both offices exceeded their goals of monitoring 10 percent of total award funding. OJP monitored 1,447 grantees with awards totaling \$3.05 billion, and the COPS Office monitored 185 grantees with awards totaling \$234.74 million. In addition to overseeing monitoring activities, OAAM also conducts program assessments of OJP and COPS Office grant programs. OAAM considers monitoring—and its oversight of it—as responsive to its originating statute's intent, but it also recognizes that assessments have utility and serve a separate but important function in helping the office improve grant management. Table 4 illustrates the distinction between OJP's and the COPS Office's monitoring and OAAM's assessment functions.

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<sup>51</sup>DOJ designates grantees as high risk based on a number of factors, including but not limited to, a history of unsatisfactory performance, financial instability, an inadequate financial management system, or nonconformance to terms and conditions of previous awards. Additional reporting requirements are imposed on high-risk recipients. OAAM's Audit and Review Division coordinates the high-risk grantee list and works to either resolve the issues underlying the high-risk designation or to impose conditions on high-risk grantees to ensure appropriate stewardship of federal funds and enhance programmatic results.

**Table 4: Comparison of Programmatic Grant Monitoring and Program Assessment Activities**

OJP's and the COPS Office's programmatic grant monitoring	OAAM's grant program assessments
<p><i>Who conducts:</i></p> <ul style="list-style-type: none"> <li>Grant staff in OJP's program offices and COPS Office's Grant Monitoring Division.</li> </ul> <p><i>Scope:</i></p> <ul style="list-style-type: none"> <li>Focuses on individual grant recipients one at a time.</li> </ul> <p><i>Characteristics:</i></p> <ul style="list-style-type: none"> <li>Checks that the grantee complies with the programmatic, administrative, and financial requirements.</li> <li>Advocates responsible stewardship of awarded funds.</li> <li>Verifies that grant implementation is consistent with the grantee's stated plan, policy guidelines, and applicable DOJ rules and regulations.</li> <li>Observes and verifies project implementation for promising practices.</li> </ul> <p><i>Results:</i></p> <ul style="list-style-type: none"> <li>Provides guidance to the grantee on DOJ policies and procedures, and programmatic, administrative, and financial reporting requirements.</li> <li>Works with the grantee to identify any problems and provide assistance to resolve them.</li> <li>Recommends appropriate and available training or technical assistance.</li> </ul>	<p><i>Who conducts:</i></p> <ul style="list-style-type: none"> <li>Analysts in OAAM.</li> </ul> <p><i>Scope:</i></p> <ul style="list-style-type: none"> <li>Can focus on a whole or one aspect of a grant program.</li> </ul> <p><i>Characteristics:</i></p> <ul style="list-style-type: none"> <li>Systematic review and evaluation of programs to gauge effectiveness, identify promising practices, and document impediments.</li> <li>Begins with research into a grant program's issue area, origin, and original purpose, along with key program challenges and issues.</li> <li>Uses a variety of analytical approaches, depending on the goals of the assessment, to provide bureaus and program offices with information to improve their programs.</li> </ul> <p><i>Results:</i></p> <ul style="list-style-type: none"> <li>May result in recommendations to grant-making offices and bureaus for improving their grant programs.</li> <li>When recommendations are made, OAAM staff work with program offices to implement recommendations.</li> </ul>

Source: GAO analysis of DOJ information.

In general, both monitoring and assessment are important and complementary tools for grant oversight. Nevertheless, we found that OAAM's program assessments yield richer information to enhance grant programs than either OJP's or the COPS Office's individual monitoring reports or the summary reports that OAAM's Program Assessment Division (PAD) compiles because the program assessments are more analytical and broader in perspective. OAAM's PAD Standard Operating Procedures define a program assessment as "a systematic review and evaluation of programs to gauge effectiveness, identify promising practices, document impediments, and when necessary, make recommendations for improvement." OAAM reported to us that from 2008 through mid-February, 2012, its staff had produced 28 products; however, when we reviewed the 28, we found that 7 met OAAM's definition for a

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program assessment.<sup>52</sup> For example, in 2012, OAAM completed an assessment report on the COPS Office Methamphetamine Initiative. In 2011, it completed one on BJA payment programs, and in 2010, it assessed the ICAC Training and Technical Assistance Program. The other 21 publications were user guides; summaries of monitoring reports, such as those described earlier; or Recovery Act risk indicator reports, which identify potentially high-risk grantees so that the program offices can work with those grantees to resolve issues and prevent potential problems. According to OJP, all of OAAM's publications contribute to improving OJP's grant programs and operations by strengthening internal controls, streamlining processes to be more efficient, or reporting on how well programs and policies are meeting their objectives.

#### Program Assessment Example

A 2010 program assessment report on the ICAC Training and Technical Assistance Program made 11 recommendations related to the collection and use of performance measurement data, financial management, fair and open competition for awards, and improving grant management and oversight. Program monitoring did not find areas for improvement or make related recommendations.

Of the 7 publications meeting OAAM's definition for program assessments, 2 reviewed a single aspect of the grant cycle—program awarding—within a particular grant program rather than the grant program overall.<sup>53</sup> Nevertheless, all 7 were based on a much more thorough review of the extent to which a grant program is meeting its intended purpose. Moreover, each recommended specific actions to address identified program deficiencies, and implementation of these recommendations has helped DOJ enhance its grant programs. For example, the 2010 ICAC assessment report contained 11 recommendations related to the collection and use of performance measurement data, financial management, fair and open competition for awards, and improving grant management and oversight. In our review of the six monitoring reports that the ICAC grant manager completed for the ICAC program's sole grantee, there was no mention of the same deficiencies. In particular, none of the six monitoring reports identified the unallowable costs, conflict of interest, or inadequate oversight and documentation of grant activity that the OAAM assessment report identified. Instead, the monitoring reports showed that the grantee was progressing as expected on implementation of the program, and was on schedule with no problems noted.

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<sup>52</sup>OAAM considered eight of its products to be program assessments. However, we eliminated one because it did not specifically look at a DOJ grant program.

<sup>53</sup>In 2011, OAAM issued assessment reports for the Bureau of Justice Assistance Recovery Act Programs Combating Criminal Narcotics Activity Stemming from the Southern Border of the United States (CCNA program), and the Assistance to Rural Law Enforcement to Combat Crime and Drugs (RLE program).

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#### Program Assessment Example

A 2011 program assessment of OJP's payment programs revealed, among other findings, unallowable reimbursement requests totaling \$5.8 million from jurisdictions that requested reimbursement for overlapping detention days from two different programs. OAAM's identification of the request led to its removal and savings for the program, DOJ, and the taxpayer. OJP does not conduct program monitoring for its payment programs.

OAAM also assessed BJA's payment programs, which otherwise are not subject to BJA grant monitoring. In the November 2011 report, OAAM assessed the processes that BJA used to verify the eligibility and accuracy of reimbursement requests submitted by grantees.<sup>54</sup> The assessment concluded that BJA is administering its payment programs appropriately to verify the eligibility and accuracy of payments, but it also determined that additional internal controls were necessary and that procedures were not sufficient to identify duplicate payment requests from grantees. As a result of the assessment, OAAM made six recommendations to BJA, including implementing additional procedures to identify duplicate requests for payments of detention expenses. In particular, one of OAAM's recommendations was that BJA implement a process to identify overlapping requests for reimbursement between two of the programs for expenses related to detention of criminal aliens. In response, BJA compared all of those programs' applications for reimbursement for fiscal year 2011 to identify whether jurisdictions were requesting reimbursement for the detention of the same individuals over the same period of time. BJA's review led to the removal of approximately \$5.8 million in requests for reimbursement prior to generating the final reimbursement awards.

*Standards for Internal Control in the Federal Government* calls for managers to compare actual performance with planned or expected results throughout the organization and analyze significant differences. These standards also identify that program managers need both operational and financial data to determine whether they are meeting their agencies' strategic and annual performance plans and meeting their goals for accountability for effective and efficient use of resources. The programmatic grant monitoring reports that each of the granting agencies compile contribute to meeting these standards at the grantee level by tracking the progress and, when necessary, providing assistance to individual grant recipients. OAAM's summaries of these reports then roll

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<sup>54</sup>This assessment included the following programs: the Bulletproof Vest Partnership Program, which assists state, local, and tribal law enforcement agencies with purchasing body armor for sworn personnel; the State Criminal Alien Assistance Program (SCAAP), which provides assistance to states and localities by reimbursing them for correctional officer salary costs associated with incarcerating undocumented criminal aliens; the Southwest Border Prosecution Initiative (SWBPI); and the Northern Border Prosecution Initiative (NBPI), which reimburses state, local, and tribal jurisdictions for prosecuting criminal cases declined by U.S. Attorneys' offices and for pretrial detention expenses in states along the southern and northern borders, respectively.

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up the statistics and ensure the compliance monitoring occurs as required. However, OAAM's program assessments are more comprehensive than both the individual grant monitoring reports and the summary reports OAAM prepares because their broader perspective allows for reporting on program successes, impediments, and potential areas for improvement. While monitoring 10 percent or more of the aggregate amount of grant funding awarded annually is important and beneficial to the grant management process, the 7 program assessment reports that OAAM has issued since 2008 have led to more than 50 recommendations for the improvement of OJP and COPS Office grant programs.

According to OAAM officials, additional program assessments would be beneficial; however, they told us that OAAM does not have sufficient resources to conduct more. They said that conducting program assessments on 10 percent of the aggregate amount of grant funds awarded annually would not be possible given current resources, but they also noted that the department has not conducted a feasibility analysis that considers the costs and benefits of having OAAM conduct assessments on a larger number of grant programs. Further, OJP officials stated that since the establishment of OAAM, the administration has never requested, and the department has not received, the full amount authorized for appropriation under OAAM's governing statute.<sup>55</sup> DOJ officials did not explain the rationale for the administration's budget proposals and officials did not report any plans to increase OAAM's resources. As of December 2011, out of a total of 49 staff (26 federal staff authorized by DOJ and 23 contractors) spread across OAAM's three divisions, OAAM had 8 staff (5 federal staff authorized by DOJ and 3 contractors)—or less than 20 percent—in its PAD dedicated to performing program assessments in addition to overseeing OJP and COPS Office programmatic monitoring.<sup>56</sup> OAAM also has 18 staff (10 federal staff

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<sup>55</sup>Pursuant to its authorizing statute, not more than 3 percent of all funding made available for programs under OAAM's purview in a fiscal year shall be available to OAAM for, among other things, carrying out and coordinating program assessments. See 42 U.S.C. § 3712h(a)(2).

<sup>56</sup>In a March 2011 report the IG reported that, as of May 2009, OAAM had filled all of its 49 federal employee and contractor positions, but in May 2012, OJP reported that OAAM has undergone attrition and is currently 20 percent below its authorized staffing level. See U.S. Department of Justice, Office of the Inspector General, Audit Division, *Audit of the Office of Justice Programs' Monitoring and Oversight of Recovery Act and Non-Recovery Act Grants*, Audit Report 11-19 (Washington D.C.: March 2011).

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authorized by DOJ and 8 contractors)—or more than 30 percent—working in its Audit and Review Division to coordinate IG, GAO, and Single Grant Audit resolutions,<sup>57</sup> and to conduct A-123 reviews—activities that are not specifically addressed in OAAM’s authorizing statute.<sup>58</sup> Appendix V contains further discussion of the different activities of OAAM’s three divisions. Because DOJ considers its resources to be limited, it is important that OAAM’s resources be used as efficiently as possible to maximize the investment in grant programs. Thus, given the different roles that grant monitoring and program assessment play in assessing the overall effectiveness of grant programs, considering whether it employs an appropriate mix of monitoring and program assessments could aid DOJ in awarding grant funds in the most efficient and effective way possible.

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<sup>57</sup>Pursuant to the Single Audit Act, as amended, each nonfederal entity that expends \$500,000 or more in federal awards, including grants and other assistance, in a fiscal year must obtain an annual “Single Audit,” which includes an audit of the entity’s financial statements and a schedule of the expenditure of federal awards, as well as, among other things, a review of related internal controls. See 31 U.S.C. §§ 7501-07.

<sup>58</sup>OAAM annually reviews OJP’s critical business processes in the areas of financial management, information technology, and grant management and makes recommendations to enhance and strengthen internal controls as required by OMB Circular A-123, “Management’s Responsibility for Internal Control.”

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## Not Including OVW in OAAM's Oversight Has Resulted in Inconsistent Assessment of the Effectiveness of DOJ Grant Programs

Consistent with the 2000 reauthorization of the Violence Against Women Act, the Attorney General submits a biennial report to Congress on the effectiveness of VAWA-funded grant programs.<sup>59</sup> OVW uses the VAWA Measuring Effectiveness Initiative, conducted under a noncompetitive cooperative agreement with a university to develop and implement reporting tools, as the primary way it meets statutory requirements to report on the effectiveness of VAWA-funded programs.<sup>60</sup> Staff from the university also provide data collection training to grantees to ensure that they use the forms and database properly, and then use the information collected to summarize grantee performance in semiannual summary data reports. The results of this initiative are summary data reports that university staff compile from the semiannual or annual progress reports that grantees submit to OVW. OVW then uses these summaries to meet biennial reporting requirements for its discretionary grant programs under VAWA and, for example, the Services, Training, Officers, Prosecutors (STOP) Violence Against Women Formula Grant Program (STOP Program).<sup>61</sup> The STOP Program promotes a coordinated, multidisciplinary approach to improving the criminal justice system's response to violent crimes against women and increasing the availability of victim services.

OVW's biennial reports are composed of three main components:

- a literature review of research showing (where available) the effectiveness of grant-funded activities and (when such research is not available) information on promising or best practices in the field of victims services;

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<sup>59</sup>Specifically, the Violence Against Women Act of 2000 provided that the Attorney General or Secretary of Health and Human Services, as applicable, shall require grantees under any program authorized or reauthorized under the act report on the effectiveness of the activities carried out with amounts made available for the program. See Pub. L. No. 106-386, Div. B, § 1003(a), 114 Stat. 1464, 1491 (2000) (codified at 42 U.S.C. § 3789p(a)). It further required the Attorney General or Secretary, as applicable, to report biennially to the Committees on the Judiciary of the Senate and House of Representatives on the grant programs described, including any information reported by grantees. See 42 U.S.C. § 3789p(b).

<sup>60</sup>Information on which the Attorney General shall report related to the effectiveness of activities carried out with VAWA grant funds includes the number of persons served and, if applicable, the number of persons seeking services who could not be served.

<sup>61</sup>Prior to enactment of the Violence Against Women Act of 2005, VAWA required that the Attorney General report annually on the STOP Program.



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- a summary of performance measure data, such as the number of grant-funded staff, the number of people trained, and the number of victims/survivors seeking services that are served, partially served, and not served, as reported by the grantees to OVW through OJP's GMS; and
  - anecdotal evidence from grantees on the benefit of what they are able to do with grant funds.

The statute establishing OAAM did not give it oversight authority for OVW programs. Provisions in the authorizing statute, however, provide the Attorney General with discretion to expand OAAM's scope beyond OJP and COPS Office programs, which the Attorney General has not undertaken. As a result, while OVW uses its data collection and analysis to report on grant program effectiveness, in accordance with the VAWA requirement, by providing information on activities carried out with grant funds and the number of persons served using those funds, it does not benefit from the monitoring oversight and grant program assessments that OAAM provides. Such assessments could provide OVW with more substantive information on its grant programs.

Table 5 contains a comparison of the analytical approaches that OVW uses when it reports to Congress on the effectiveness of its grant programs against those that OAAM uses in its program assessments. On the basis of a review of seven OVW reports and seven OAAM grant program assessment reports, we found that OVW's reports contain less analysis than the OAAM reports do. Specifically, these OVW reports summarized performance measurement data rather than analyzed it. Further, these OVW reports did not address grant program operations and management. OAAM, in contrast, used more varied approaches to analyze grant programs, which provided information on both grant program performance and operations, identified areas for improvement, and resulted in specific recommendations to OJP's bureaus and program offices, and the COPS Office.

**Table 5: Comparison of OVW and OAAM Measurement of Grant Program Effectiveness**

Analytical approaches	Number of OVW reports including approach	Number of OAAM reports including approach
<b>Comparative analysis</b> —seeks to identify the strengths and weaknesses of two or more comparable programs or processes	0	1
<b>Compliance analysis</b> —determines whether a program is being operated within the laws and regulations under which it is funded	0	2
<b>Grant administrative requirements review</b> —examines the extent to which grants comply with grant administrative requirements	0	5
<b>Financial/grant expenditure review</b> —reviews the financial history of a grant to ensure that grantees properly accounted for expenditures	0	3
<b>Literature review</b> —examines related research on the effectiveness of grant-funded programs or best practices in the field	7	1
<b>Output analysis</b> —identifies the direct products or services delivered by a program	7	2
<b>Performance measurement analysis</b> —determines whether a grant program or its grantee has useful and appropriate performance data to measure program effectiveness	0	3
<b>Process analysis</b> —determines the extent to which a program is operating under its original intent or whether there are particular processes that could be improved	0	7
<b>Trend analysis</b> —examines historical results to attempt to identify patterns and trends in order to predict a future outcome	0	2

Source: GAO analysis of information from DOJ and the Measuring Effectiveness Initiative.

Unlike the OAAM analysts who conduct assessments of OJP and COPS Office grant programs, the university staff responsible for the Measuring Effectiveness Initiative do not have access to grant program financial data or OVW grant monitoring reports. Additionally, university staff involved in the initiative do not conduct site visits to validate the data provided by grant recipients and the work they perform. Instead, OVW staff in each program area review the results of the biennial reports and the semiannual summary data reports compiled from grantee progress reports to identify priority areas where there is an unmet need. The OVW reports contain sections on “remaining areas of need” identified by grant recipients. However, the areas of need that OVW identified are based on comments grant recipients provided on gaps in service, rather than being based on an independent assessment that OVW conducted on the overall grant programs. Moreover, unlike the grant program assessments that OAAM conducts, beyond identifying areas of need, the biennial reports do not result in concrete recommendations for improving OVW’s grant programs. OVW officials told us that for the upcoming 2012 biennial report, they plan to focus more attention to the discussion of remaining areas of need.

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According to OVW's 2010 *Biennial Report to Congress on the Effectiveness of Grant Programs Under the Violence Against Women Act*, demonstrating the effectiveness of services provided by agencies funded under OVW presents a challenge for those charged with meeting the reporting mandate of VAWA 2000. An OVW official told us that it is difficult to discern between output and outcomes when dealing with the grant programs in OVW and that it is difficult to measure outcomes with service grant programs.<sup>62</sup> For example, OVW might consider whether an abuse victim not only gets a protective order but also receives additional services. Additionally, according to OVW officials, it would be difficult to track how many victims received different types of services in multiple areas, because OVW service provider grantees only track the first instance in which a victim receives services and do not follow up on related services.

According to the federal Domestic Working Group Grant Accountability Project's *Guide to Opportunities for Improving Grant Accountability*, agencies need a process for managing performance once grants are awarded, and the ability to assess grant results and use those results when awarding future grants. The Working Group identified engaging outside experts to assess program performance, inspecting projects after completion, and conducting evaluations to identify factors affecting results among its promising practices to improve program performance. These activities are not part of OVW's current approach to program oversight.

OVW conducts its grant program monitoring as well as IG audit follow-up. Additionally, OVW has a Grant Assessment Tool (GAT)—designed by the same company that produced the GAT for OJP.<sup>63</sup> OAAM currently conducts Single Audit follow-ups; manages the high-risk grantee list; and oversees DOJ's combined programmatic and financial monitoring plan, which is the combined monitoring list of all the sites that OJP, OVW, and the COPS Office plan to visit for the year. In a March 2011 audit, the IG found that OVW and the COPS Office perform certain monitoring and oversight services that are duplicative of the services available through OJP and recommended that DOJ standardize the oversight services

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<sup>62</sup>Outputs are the direct products or services delivered by a program. Outcomes are the results of those products and services.

<sup>63</sup>OVW's Grant Assessment Tool is a database containing 18 standard elements to evaluate the level of risk associated with grantees in order to prioritize monitoring.

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provided to OVW and the COPS Office to eliminate such duplication and provide uniformity in oversight among DOJ granting agencies. OAAM provides certain administrative services that facilitate grant program management, but DOJ officials told us the reason OAAM does not have oversight over OVW is because the Attorney General has not extended OAAM's purview. OJP officials told us that they have not been provided the scope of work that OVW oversight may encompass and, as such, OAAM has not conducted any analyses using a workforce model to determine the staffing levels, associated resources, and other possible impacts (i.e., costs and benefits) of having OVW under its purview on OAAM operations.

OVW officials expressed concern that OAAM staff would not have any expertise in violence against women issues. However, OAAM currently has oversight over specialized bureaus and offices such as the Office for Victims of Crime and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. Additionally, OVW officials stated that OAAM does not perform data collection and analysis activities, which are the primary activities of the Measuring Effectiveness Initiative. However, as a part of its assessments, OAAM has collected performance measures and conducted analysis. For example, in its assessment of the ICAC Training and Technical Assistance Program, OAAM collected and analyzed national performance metrics related to training. Given the nature of OAAM assessments, along with the other oversight services it provides to OJP and the COPS Office, the information resulting from OAAM assessments of OVW grant programs could better inform OVW about its grant programs and funding to assist with future program design and award decisions while also providing Congress with a more complete picture on the effectiveness of programs funded under VAWA. Accordingly, DOJ could benefit from assessing the feasibility, costs, and benefits of OAAM providing grant program assessments for OVW.

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## Conclusions

The statutory design of DOJ's grant programs has contributed to overlap across a number of justice areas. We recognize that even when programs overlap, there may be meaningful differences in their eligibility criteria or objectives, or they may be providing similar types of services in different ways. We also recognize that a number of grant programs are formula-driven and therefore grantees' eligibility is predetermined. However, because DOJ exercises independent judgment when making discretionary awards and therefore has full responsibility for how it conducts its pre-award reviews, it will be important for the department to maximize visibility over how grantees plan to spend the funds they

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receive from multiple funding streams. In some instances, DOJ may deem it appropriate for large numbers of distinct grant programs to serve one goal, or for the same communities to benefit from multiple streams of its grant funding. In these cases, duplication may be warranted. However, because we found routine coordination and consistent policies and procedures for sharing information across the granting agencies during DOJ's pre-award phase limited, we do not believe DOJ knows with certainty if such duplication is always necessary.

DOJ's three granting agencies have taken some steps to coordinate their grant-related activities and have sought congressional approval in some instances for grant program consolidation. Further, they have initiated other, limited actions to ensure that grantees report additional streams of funding. However, DOJ limits its view of duplication to instances where grant applicants apply for and receive multiple streams of funding, including DOJ funding, to support single costs associated with a single grant project. Using this definition, DOJ believes that any unnecessary duplication can be identified through monitoring grantees post-award. We take a broader view of duplication and consider it potentially unnecessary when DOJ is unaware that grantees have applied for and are receiving funding for potentially the very same or similar purposes. Therefore, we believe it is incumbent that DOJ take steps in the pre-award phase to make purposeful judgments about funding necessity before finalizing the awards. Doing so would help the department better mitigate this risk for potential, unnecessary duplication. Specifically, by conducting a broad examination of all DOJ grant programs to systematically identify justice areas for which funding overlaps, DOJ would have greater visibility over how its funding can be used and whether it is awarding grant dollars in the most efficient way possible. Further, developing and implementing policies and procedures to require granting agencies to routinely share and consider information each may have about past or prospective grantee funding could provide DOJ with more strategic visibility over its awarding decisions. In addition, requiring all grantees to report current or prospective federal funding sources when applying for DOJ grants could provide DOJ with more information to better target its limited financial resources before it finalizes new grant awards.

Additionally, by taking interim steps to expand access to the two distinct grant management systems—CMS and GMS—DOJ could better ensure that grant managers and decision makers can leverage all existing tools while a longer-term study to consider the feasibility, costs, and benefits of potential options for DOJ grant management systems is underway. Such options could include unifying the systems, creating a DOJ-wide system,

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or using off-the-shelf software to bridge information gaps. Related, DOJ can have greater confidence that any variation in how the granting agencies are currently managing their portfolios does not hinder any potential unification by ensuring that its planned study include an assessment of the steps needed to harmonize DOJ grant processes. Further, with additional steps to ensure that DOJ is submitting grant award information to USASpending.gov in the most timely manner possible, the department could facilitate prime grantees' uploading of information on subgrantees' use of funds and therefore make the website a more useful resource to DOJ's own grant decision makers. Finally, recognizing the value of OAAM's role, assessing whether the office relies on an appropriate mix of programmatic grant monitoring and program assessment—as well as considering expansion of OAAM's coverage to include OVW—could improve the overall operation of grant programs departmentwide.

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## Recommendations for Executive Action

To ensure that DOJ can identify overlapping grant programs to either consolidate or coordinate similar programs, mitigate the risk of unnecessary grant award duplication in its programs, and enhance DOJ's ability to gauge grant program effectiveness, we recommend that the Attorney General take the following eight actions:

1. Conduct an assessment to better understand the extent to which the department's grant programs overlap with one another and determine if grant programs may be consolidated to mitigate the risk of unnecessary duplication. To the extent that DOJ identifies any statutory obstacles to consolidating its grant programs, it should work with Congress to address them, as needed.
2. Coordinate within and among granting agencies on a consistent basis to review potential or recent grant awards from grant programs that DOJ identifies as overlapping, including subgrant awards reported by prime grant awardees, to the extent possible, before awarding grants. DOJ should also take steps to establish written policies and procedures to govern this coordination and help ensure that it occurs.
3. Require its grant applicants to report all federal grant funding, including all DOJ funding, that they are currently receiving or have recently applied for in their grant applications.
4. Provide appropriate OJP and COPS Office staff with access to both GMS and CMS and appropriate OVW staff with access to CMS.

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5. As part of DOJ's evaluation of its grant management systems, DOJ should ensure that it assesses the feasibility, costs, and benefits of moving to a single grants management system, including the steps needed to harmonize DOJ grant processes, so that any variation in how the granting agencies manage their portfolios is not an encumbrance to potential system unification.
  6. Ensure the most timely reporting possible of grant award information to USASpending.gov according to OMB guidelines, which would enable its grantees to comply with their reporting responsibilities according to the same guidelines.
  7. Assess whether OAAM relies on an appropriate mix of programmatic grant monitoring and program assessment, and determine whether the office could support additional program assessments.
  8. Assess the feasibility, costs, and benefits of OAAM providing assessments for OVW, in addition to OJP and the COPS Office. If DOJ determines that OAAM assessments of OVW grant programs would be more cost-effective and provide greater insight into the effectiveness of OVW grant programs than OVW's current approach, then the Attorney General should extend OAAM's oversight to include OVW.

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## Agency Comments and Our Evaluation

We provided a draft of this report to DOJ for comment. DOJ provided written comments, which are reproduced in full in appendix VI, and concurred with all eight of the recommendations. DOJ also described actions it has underway or plans to take to address the recommendations.

- DOJ agreed with the first recommendation that it conduct an assessment to better understand the extent to which the department's grant programs overlap with one another. DOJ stated it will explore options for carrying out such an assessment in an effort to reduce the risk associated with unnecessary or inappropriate program duplication. For example, DOJ stated it is considering tasking OAAM to conduct such an assessment. Since DOJ is developing options for how it will implement this recommendation, it is too soon to know what specific actions DOJ will take, when they will be completed, and whether they will fully address the intent of the recommendation.
- DOJ agreed with the second recommendation that it coordinate within and among granting agencies, to the extent possible, before awarding grants. DOJ stated that its grant-making agencies will continue to

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closely collaborate and share information prior to making grant awards. DOJ also stated it plans to use the results of the assessment referenced in the first recommendation to develop a targeted and strategic approach for reviewing grant applications during the pre-award process. Since DOJ is considering how it will implement this recommendation, it is too soon to know what specific actions DOJ will take, when they will be completed, and whether they will fully address the intent of the recommendation.

- DOJ agreed with the third recommendation that DOJ require its grant applicants to report all federal grant funding, including all DOJ funding, that they are currently receiving or have recently applied for in their grant applications. DOJ stated it plans to use a risk-based approach to implement this recommendation, using the results from its assessment in response to the first recommendation. This is a positive step toward ensuring that DOJ has a more complete picture of an applicant's access to other federal funding. However, since DOJ has not yet developed its approach, it is too soon to tell whether DOJ's actions will address the intent of the recommendation.
- DOJ agreed with the fourth recommendation that DOJ provide appropriate OJP and COPS Office staff with access to both GMS and CMS and appropriate OVW staff with access to CMS. DOJ noted that OJP will provide read-only GMS access to COPS Office staff and that the COPS Office will provide reports to OJP and OVW from CMS, given the technological barriers to providing external system access. These actions, when implemented, should address the intent of this recommendation.
- DOJ agreed with the fifth recommendation that as part of its evaluation of its grant management systems, DOJ should ensure it assesses the feasibility, costs, and benefits of moving to a single grants management system. DOJ stated that it had initiated such a study and plans to complete it within the next six months. When effectively completed, this study, along with any actions taken to implement its findings, should address the intent of this recommendation.
- DOJ agreed with the sixth recommendation that DOJ ensure the most timely reporting possible of grant award information to USASpending.gov. DOJ committed to doing its best to ensure timely reporting, but did not provide specific actions or plans to address the intent of the recommendation.



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- DOJ agreed with the seventh recommendation that DOJ assess whether OAAM relies on an appropriate mix of programmatic grant monitoring and program assessment, and whether the office could support additional program assessments. DOJ stated that additional program assessments would be beneficial and contribute to the improvement of grant programs and operations. DOJ also stated it would explore ways to conduct more program assessments, but did not provide specific actions or plans to address the intent of the recommendation.
  - DOJ agreed with the eighth recommendation that DOJ assess the feasibility, costs, and benefits of OAAM providing assessments for OVW, in addition to OJP and the COPS Office. DOJ stated that discussions have been initiated between OAAM and OVW related to this recommendation. This is a positive first step, but it is too soon to know whether the results of these discussions and any resulting potential future actions will address the intent of the recommendation.

In addition, DOJ raised concerns about the methodology we used to identify overlap in DOJ's fiscal year 2010 grant program solicitations across 10 broad justice themes. DOJ stated that our analysis of potential overlap between DOJ funding solicitations substantially overstated the number of programs that might be duplicative. DOJ commented that the table we used to show the overlap was an indication that DOJ was involved in "wasteful duplication." Our analysis, as summarized in table 2 of this report, demonstrates overlap in the justice areas that DOJ's grant programs aim to support. Having several overlapping grant programs within individual justice areas requires greater visibility and pre-award coordination on the part of DOJ to diminish the risk of unnecessary duplication at the grant project level. As such, our analysis does not, on its own, indicate unnecessary duplication among DOJ grant programs, but instead identifies the potential risk of unnecessary duplication. Implementing the recommendations in this report that DOJ assess grant program overlap and coordinate grant award decisions will help DOJ identify areas of overlap and mitigate the risk of unnecessary duplication in grants. DOJ also considered the categories we developed for our analysis such as "community crime prevention strategies" as too broad and exclusive of specialized programs such as community policing. We developed our 10 broad justice areas based mainly on programmatic information contained on DOJ granting agency websites and other DOJ literature and believe they fairly demonstrate overlap among DOJ's various grant programs. We recognize that the more detailed analysis we

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recommended and DOJ agreed to undertake is necessary to determine the extent of any unnecessary duplication.

DOJ also commented that our sample size of grant applications was too small in number and was not generalizable. As discussed in this report, our sample size was not intended to be generalizable across the entire scope of DOJ grant program awards, but instead was meant to illustrate the potential for unnecessary duplication. DOJ further commented that their investigation of the examples of unnecessary duplication we provided proved that no duplication actually existed in the grant programs. DOJ conducted its review after we provided our examples and focused on how grantees were using the funds they had received. Our analysis of potential duplication focused on grant applications—how applicants proposed to spend federal grant dollars—and not on the verification of activities grantees carried out once DOJ funded them. DOJ's plans to improve pre-award coordination are positive steps and we believe that by doing so, DOJ will be better positioned to make better informed decisions about the financial needs of grantees and communities for their proposed projects.

Finally, DOJ expressed concern that the report implies that DOJ is not tracking subgrantees' activities. Our analysis focused on pre-award coordination, not DOJ's efforts to track subgrantee activities. As such, we recommended that DOJ use the subgrant award information it does have to help inform DOJ's grant award decision making. We believe that subgrant award information could provide DOJ decision makers with a more complete financial picture of applicants and the projects they propose to be funded by DOJ.

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We are sending copies of this report to the Attorney General, selected congressional committees, and other interested parties. In addition, the report is available at no charge on the GAO website at <http://www.gao.gov>.

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If you or your staff have any questions about this report, 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. Key contributors to this report are listed in appendix VII.

A handwritten signature in black ink that reads "David C. Maurer". The signature is written in a cursive style with a large, sweeping initial "D" and a long, horizontal flourish at the end.

David C. Maurer  
Director, Homeland Security and Justice Issues

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*List of Congressional Committees*

The Honorable Patrick J. Leahy  
Chairman

The Honorable Chuck Grassley  
Ranking Member  
Committee on the Judiciary  
United States Senate

The Honorable Lamar Smith  
Chairman

The Honorable John Conyers, Jr.  
Ranking Member  
Committee on the Judiciary  
House of Representatives

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# Appendix I: Objectives, Scope, and Methodology

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This report answers the following questions: (1) To what extent does overlap across Department of Justice (DOJ) grant programs exist and contribute to the risk of unnecessary duplication in grant awards? (2) To what extent has DOJ taken steps to reduce overlap in its grant programs and the potential for unnecessary duplication in grant awards? (3) To what extent does DOJ use programmatic grant monitoring and assessment to determine grant program effectiveness and use the results to enhance its grant programs?

To examine the extent to which overlap across DOJ grant programs exists, we identified the total number of DOJ grant solicitations for fiscal year 2010. To do this, we reviewed the lists posted on the Office of Justice Programs (OJP), Office on Violence Against Women (OVW), and Community Oriented Policing Services (COPS) Office websites and confirmed the currency of the information with DOJ officials. To determine whether these solicitations were announcing grant funding available for similar or overlapping purposes, we first established 10 categories of criminal justice areas. We developed these 10 categories after reviewing comparable justice areas identified within OJP's CrimeSolutions.gov website, which OJP officials stated includes themes addressed through OVW and COPS Office programs; OJP's Fiscal Year 2010 Program Plan; and other materials from OVW and the COPS Office, such as justice program themes from their respective websites. Next, through analyst consensus, we sorted the grant solicitations according to the 10 justice categories. After identifying solicitations with similar scopes, we then reviewed 26 successful grant applications that were awarded under similar solicitations to identify and assess specific examples of how the recipients planned to use funds from multiple programs in the same or similar manner. The sample we reviewed is not generalizable to all DOJ grant programs because we did not review all of the more than 11,000 grant applications that DOJ funded in fiscal year 2011, but it illustrates the potential for unnecessary duplication. To determine if DOJ could take more action to avoid program overlap that can lead to unnecessary duplication, we applied the *Domestic Working Group Grant Accountability Project's Guide to Opportunities for Improving Grant Accountability*.

To examine the extent to which DOJ has taken steps to reduce overlap in its grant programs and the potential for unnecessary duplication in grant awards, we reviewed agency policies, procedures, and guidance on grant program design and award, such as the COPS Office Program Development Team charter and template, and the OJP Grant Manager's Manual. Further, we interviewed DOJ officials from the three granting agencies to obtain additional information on grant program design and

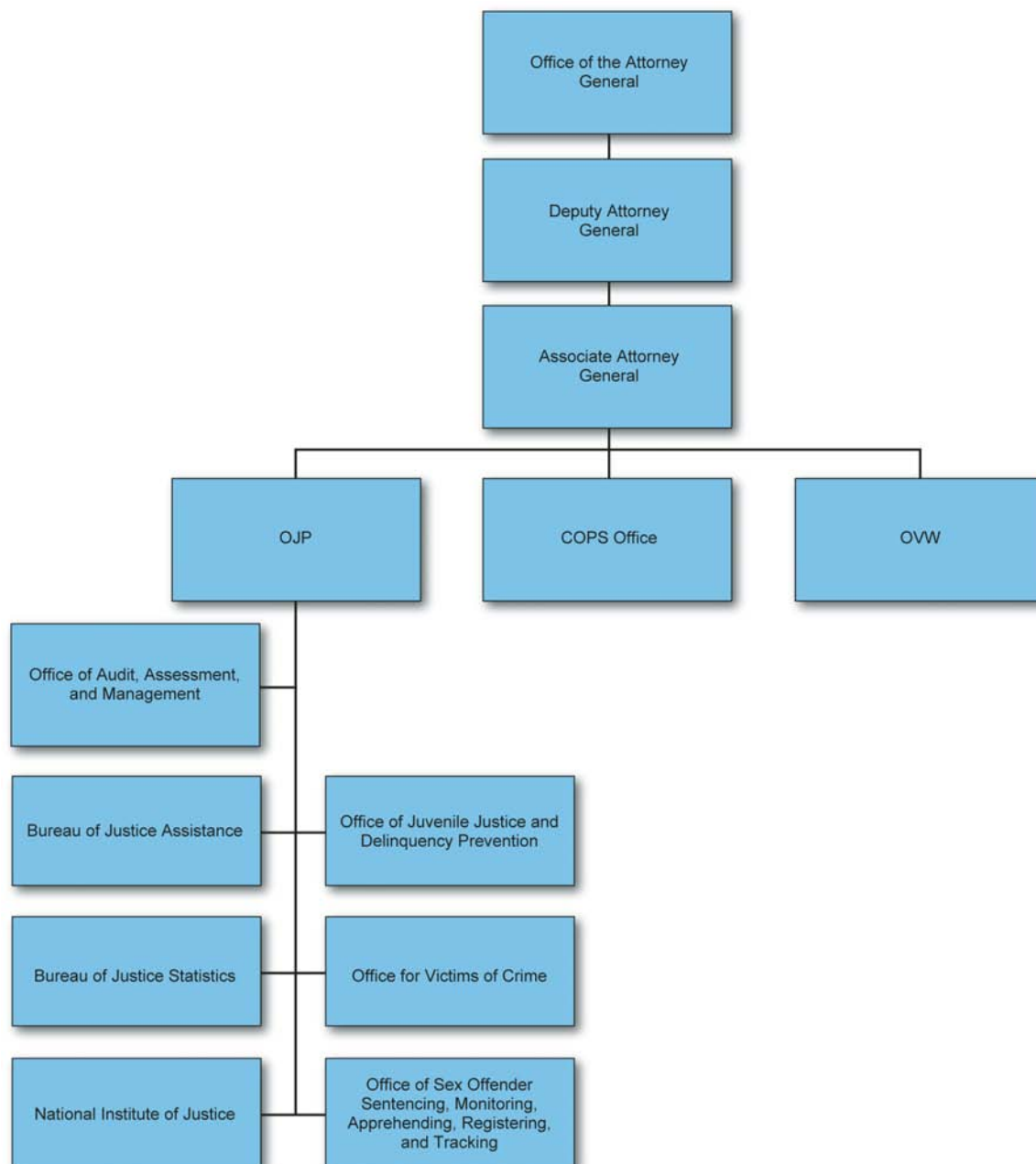
award processes, and the extent to which the three agencies coordinate and share information. We also visited or conducted phone interviews with officials from 11 states, including the five largest and five smallest state recipients of Edward Byrne Memorial Justice Assistance Grant (JAG) funding. These officials represent the state administering agencies (SAA) responsible for distributing JAG and other DOJ formula block grant funds to subrecipients in California, Florida, New York, North Dakota, Pennsylvania, South Dakota, Rhode Island, Tennessee, Texas, Vermont, and Wyoming. These officials provided their views regarding the type and timeliness of information on grant awards and subawards they provide to and receive from DOJ. We selected these 11 states based on the amount of JAG funding they receive and the existence of other recipients in their communities receiving DOJ discretionary grants for potentially similar purposes. The results of these contacts are not generalizable to all states, but provided insight into how DOJ grant funds are used locally and into the communication between states and DOJ. To determine if JAG recipients expended grant funds in fiscal year 2010 on sexual assault services, bullet and stab-resistant vests, sex offender registry and notification systems, Internet crime against children task forces, hiring police officers, and correctional officer salaries, we conducted a web-based survey of all recipients of DOJ JAG grant funding who received an award from fiscal years 2005 through 2010. The survey response rate related to SAAs was 89 percent, with 50 out of 56 SAAs answering the questionnaire. We compared agency grant design and award practices against *Standards for Internal Control in the Federal Government* and promising practices identified in the *Domestic Working Group Grant Accountability Project's Guide to Opportunities for Improving Grant Accountability*.

To analyze the extent to which DOJ uses programmatic grant monitoring and assessment to determine grant program effectiveness and uses the results to enhance its grant programs, we analyzed DOJ documentation, such as assessments DOJ conducted of its own programs and specific programmatic grant monitoring reports. We also interviewed DOJ officials from the granting agencies, including those tasked with assessment, as well as contractors responsible for assessing grant programs for OVW. This report focuses solely on the types of assessment conducted by DOJ granting agencies on its grant programs. Training and technical assistance provided by the department and its program offices and bureaus to grantees to support the evaluation of individual grant projects, such as the Bureau of Justice Assistance (BJA) Center for Program Evaluation and Performance Measurement, is not included in this report. Also excluded from this report are the outcome evaluations of the impact

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of grant programs such as those funded by the National Institute of Justice (NIJ).

# Appendix II: DOJ Granting Agencies' Organizational Structure



Source: GAO analysis of DOJ information.



# Appendix III: Structure, Purpose, and Funding of DOJ Granting Agencies

	OJP	OVW	COPS Office
Establishment and structure	<p>OJP, established by the Justice Assistance Act of 1984, is the primary grant-making arm of DOJ. A presidentially appointed Assistant Attorney General leads OJP. The Assistant Attorney General and all OJP bureau heads are presidentially appointed and confirmed by the Senate.</p> <p><i>OJP Bureaus and Offices:</i></p> <ul style="list-style-type: none"> <li>• Bureau of Justice Assistance</li> <li>• Bureau of Justice Statistics</li> <li>• National Institute of Justice</li> <li>• Office of Juvenile Justice and Delinquency Prevention</li> <li>• Office for Victims of Crime</li> <li>• Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking</li> </ul>	<p>Following the enactment of the Violence Against Women Act of 1994, the department established the Violence Against Women Office, which later became OVW under OJP. OVW now functions as a separate and distinct office within DOJ and is headed by a presidentially appointed, Senate-confirmed Director.</p>	<p>The Attorney General established the COPS Office in October 1994 to administer community policing grants authorized under the Violent Crime Control and Law Enforcement Act of 1994. The Attorney General appoints a Director to head the COPS Office.</p>
Purpose	<p>OJP provides grants to various organizations, including state and local governments, universities, and private foundations, which are intended to develop the nation's capacity to prevent and control crime, administer justice, and assist crime victims.</p>	<p>OVW administers financial and technical assistance to local, state, and tribal governments; courts; nonprofit organizations; community-based organizations; secondary schools; institutions of higher education; and state and tribal coalitions. OVW provides grants for developing programs, policies, and practices aimed at ending domestic violence, dating violence, sexual assault, and stalking.</p>	<p>The COPS Office provides grants to and shares information with the state, local, territory, and tribal law enforcement agencies to advance community policing.</p>
Programs and funding	<p>From fiscal years 2005 to 2012, OJP received approximately \$24 billion for OJP grant programs. In 2010, almost 3 billion was available to OJP to fund grants, and OJP issued 223 solicitations for grants.<sup>a</sup> According to OJP, it awarded nearly 5,000 grants in 2010.</p>	<p>From fiscal years 2005 to 2012, OVW received approximately \$3.4 billion for OVW grant programs. In 2010, OVW received \$418.5 million for OVW grant programs, and OVW issued 19 solicitations for grants.</p>	<p>From fiscal years 2005 to 2012, the COPS Office received approximately \$5.3 billion to fund COPS Office grant programs. In 2010, the COPS Office received \$791.6 million to fund COPS Office grants, and the COPS Office issued nine solicitations for grants.</p>

Source: GAO analysis of information from DOJ.

Note: Funding levels in fiscal year 2009 include amounts appropriated through the American Recovery and Reinvestment Act of 2009. See Pub. L. No. 111-5, 123 Stat. 115, 129-30.

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**Appendix III: Structure, Purpose, and Funding  
of DOJ Granting Agencies**

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<sup>a</sup>Solicitations are announcements of new grant funding available and explain areas for which funding can be used. These numbers reflect solicitations provided by each individual office and do not reflect any joint solicitations, which are those offered in tandem with other program offices, either within or external to DOJ (e.g., other DOJ components or federal agencies).

# Appendix IV: Consolidated, Braided, and Blended Grant Program Solicitations

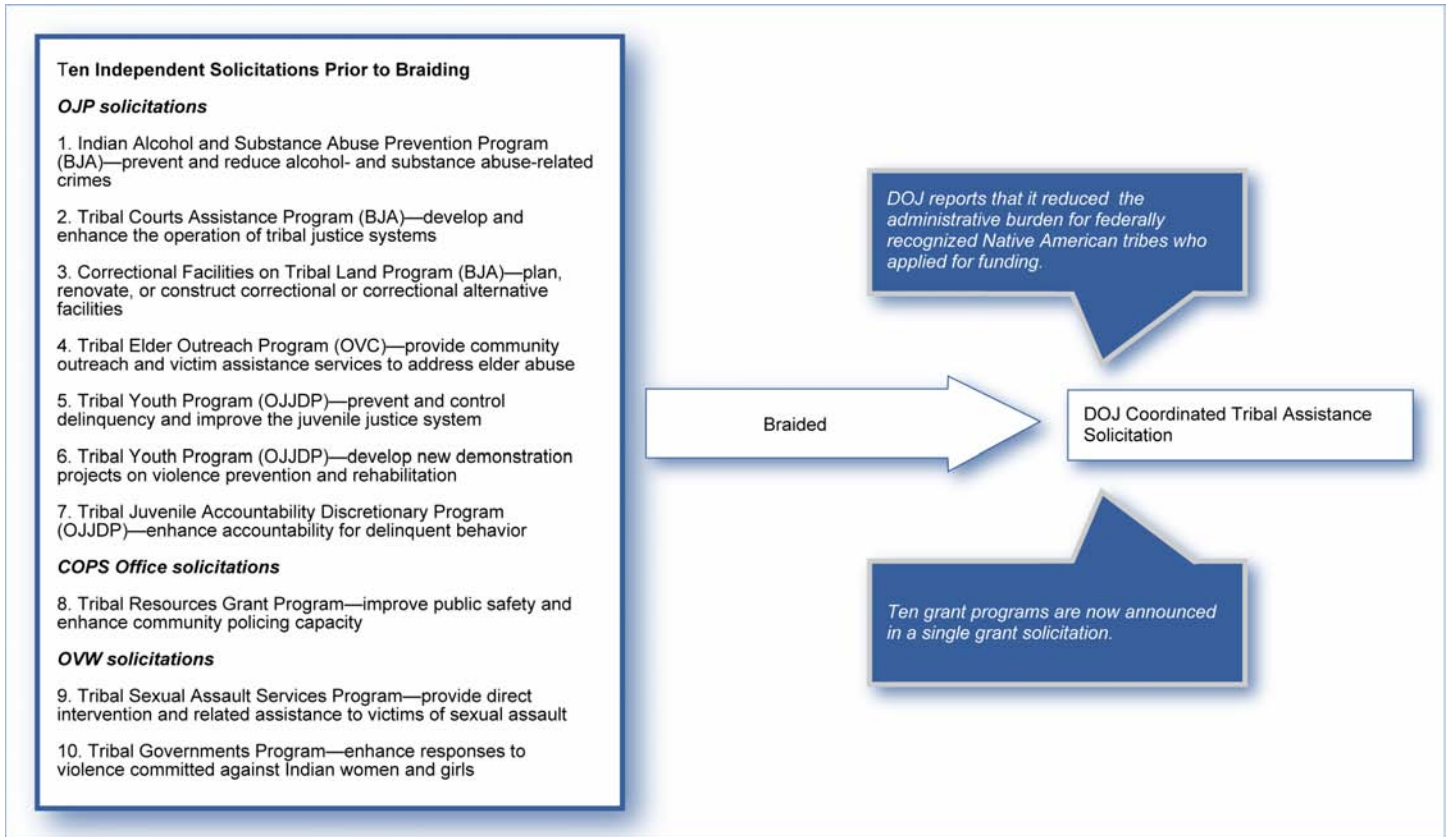
According to DOJ officials, there are three ways in which DOJ grant programs can be merged or better coordinated—through consolidation, braiding, and blending. Figures 4, 5, and 6 explain these mechanisms.

**Figure 4: Consolidated Grant Programs**



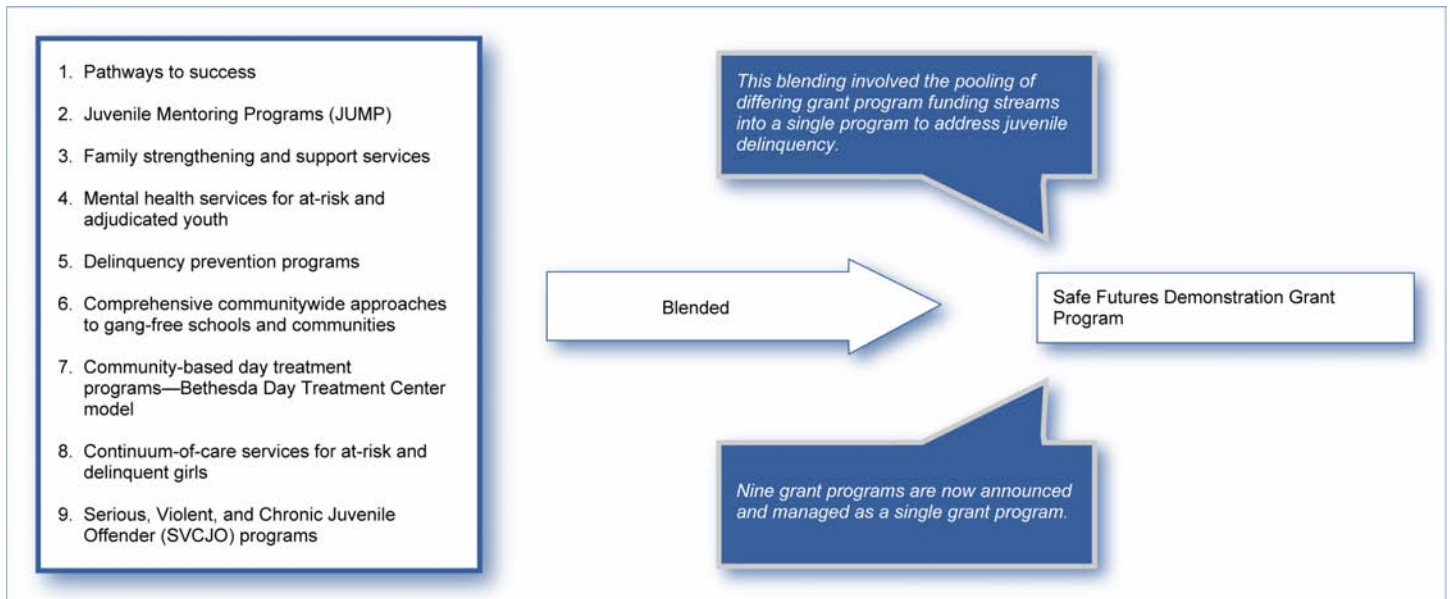
Source: GAO analysis of DOJ information.

Figure 5: Braided Grant Programs



Source: GAO analysis of DOJ information.

Figure 6: Blended Grant Programs



Source: GAO analysis of DOJ information.

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# Appendix V: Office of Audit Assessment and Management Structure

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The three divisions within OAAM—the Audit and Review Division, the Program Assessment Division, and the Grants Management Division— together carry out the following primary functions of OAAM for one or more of DOJ’s three granting agencies:

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|--|---|
| <b>Audit and Review Division</b>         | <ul style="list-style-type: none"><li>• coordinates audits, such as Single Audits that independent nongovernmental auditors conduct, as well as those that the Inspector General (IG) and GAO conduct,<sup>1</sup></li><li>• reviews internal control processes (A-123),<sup>2</sup> and</li><li>• manages DOJ’s High Risk Grantee Program, which applies criteria to identify grantees most at risk of fraud, waste, or abuse in use of their grant funds.</li></ul> |
| <hr/> <b>Program Assessment Division</b> | <ul style="list-style-type: none"><li>• oversees OJP and COPS Office programmatic monitoring, including development and implementation of standards and protocols, and</li><li>• assesses grant programs and initiatives of OJP and the COPS Office, as well as operational activities.</li></ul>   |
| <hr/> <b>Grants Management Division</b>  | <ul style="list-style-type: none"><li>• serves as the primary resource for OJP grants management policies and procedures by producing authoritative guidance,</li><li>• develops and facilitates grants related training to staff and grantees,</li></ul>   |

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<sup>1</sup>Pursuant to the Single Audit Act, as amended, each nonfederal entity that expends \$500,000 or more in federal awards, including grants and other assistance, in a fiscal year must obtain an annual “Single Audit,” which includes an audit of the entity’s financial statements and a schedule of the expenditure of federal awards, as well as, among other things, a review of related internal controls. See 31 U.S.C. §§ 7501-07.

<sup>2</sup>Office of Audit, Assessment, and Management (OAAM) annually reviews OJP’s critical business processes in the areas of financial management, information technology, and grant management and makes recommendations to enhance and strengthen internal controls as required by OMB Circular A-123, “Management’s Responsibility for Internal Control.”

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- manages Grants Management System (GMS) and other tools and systems, and
  - facilitates OJP's business process improvement efforts.

# Appendix VI: Comments from the Department of Justice



U.S. Department of Justice

JUN 29 2012

Washington, D.C. 20530

Mr. David C. Maurer  
Director  
Homeland Security and Justice Issues  
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, "*Justice Grant Programs: DOJ Should do More to Reduce the Risk of Unnecessary Duplication and Enhance Program Assessment*" (GAO-12-517).

Improving the effectiveness and efficiency of Federal programs is a critical priority of the U.S. Department of Justice (DOJ, Department). DOJ appreciates the work of the GAO and has carefully considered the findings and recommendations presented in GAO's draft report. DOJ agrees that, especially in the current fiscal climate, preventing unnecessary duplication in government programs is a critical priority. Under this Administration, the Department's grant-making agencies – the Office of Justice Programs (OJP), the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS Office) – have significantly improved collaboration and information-sharing among themselves and other Federal agencies to identify overlap and mitigate the risk of duplicative federal spending.

The Department is committed to continuing efforts to prevent unnecessary duplication, identify overlap in programs, and streamline through approaches such as the consolidation of grant programs. The Department's grant-making components will continue to coordinate with one another to ensure sound stewardship and management of the Department's funds.

The Department would like to take this opportunity to reiterate its concerns and overarching comments on the draft report and findings.

- (1) In DOJ's response to GAO's annual report on duplication and overlap released in February 2012, DOJ expressed significant concerns with GAO's methodology and identified what it believes are problematic flaws in its methodology and analysis. GAO uses the same methodology and analysis in this review, and accordingly, DOJ must reiterate its concerns. Specifically, the Department believes that the flawed methodology used by GAO in analyzing potential overlap between DOJ funding solicitations, resulted in a substantial overstatement of the number of programs that might be duplicative. In its analysis, the



Mr. David C. Maurer

Page 2

GAO has distilled 253 grant solicitations issued by the three grant-making components into 10 broad justice areas. This distillation is problematic and misleading. First, it conflates clearly disparate areas of topics, including research; statistical collections; provision of training or technical assistance to outside organizations; and, direct service delivery. While the broad topical areas may be the same, the purposes are distinctly different and represented a coordinated approach to addressing justice issues. Second, many of the programs within the 10 broad categories have very different eligibility requirements associated with their unique purposes, and thus, they cannot be duplicative.

GAO's reliance on this oversimplified and imprecise approach serves to produce large number of solicitations in each broad category, but does not represent wasteful duplication or a situation where funds should necessarily be divided to another category. Narrowing the justice areas would have provided for a more informative analysis of where DOJ funding is being applied. For example, the "technology and forensics" category is extraordinarily and unnecessarily expansive. Refining this justice area – such as information sharing standards development, criminal intelligence sharing, criminal record and system improvements, DNA backlog reduction, equipment and materials testing – would have been more informative, accurate and less misleading.

These 10 categories also fail to capture the statutory scope and purpose of programs that both OVW and the COPS Office administer. GAO places 15 of OVW's grant programs in the "victim assistance" category, even though only a handful of OVW programs solely fund direct victim services: most OVW funding is designed to reform the criminal justice system's response to violent crimes against women. For example, GAO categorized OVW's Grants to Encourage Arrest Policies and Enforcement of Protection Orders program as a victim assistance program, even though the primary purpose of that program is to encourage jurisdictions to treat domestic violence, dating violence, sexual assault, and stalking as serious violations of criminal law. The Department regrets that GAO did not include a category specific to violence against women, which would better capture OVW programs that focus on improving systemic response to these crimes, rather than simply assistance to victims. In addition, there is no category in the GAO chart that accurately categorizes the COPS Office programs, all of which are primarily to advance public safety through the practice of community policing in the nation's state, local, territories, and tribal law enforcement agencies. Furthermore, the COPS Office programs are the only DOJ-funded programs principally devoted to advancing public safety through the practice of community policing, and should, therefore be listed together in their own category.

Additionally, GAO relied on a very small sample of grant applications to assess and generalize the extent of duplication across multiple components. Specifically, the GAO reviewed 26 out of approximately 7,000 grants as a sample, or less than half of one percent, of the fiscal year (FY) 2010 DOJ grants thereby limiting its ability to generalize its findings. For those examples cited by GAO as potential duplication and where GAO agreed to identify the specifics of the examples, DOJ examined the cases and found no unnecessary or inappropriate duplication. Given that the sample by GAO's admission is too small and not generalizable and no actual duplication was identified by GAO, it is unclear how the sample reviewed by GAO is evidence of the potential for unnecessary duplication.

Mr. David C. Maurer

Page 3

- (2) As related to proper oversight of grants and subgrants, DOJ finds it necessary to establish that the grant-making components do in fact monitor, track, and assess the flow of grant funds to subgrantees. GAO statements throughout the draft report imply that DOJ is not monitoring or tracking funds of subgrantees. DOJ uses many mechanisms to monitor its prime recipients granting of subawards and obtain information on these subgrantees, including: 1) site visits and other monitoring activities; 2) grantee data submitted through OJP's Grants Management System's (GMS) subaward module, progress reports, and performance measurement tools; 3) single and grant audit findings; 4) annual subgrantee progress reports; 5) quarterly Recovery Act reports submitted to [Federalreporting.gov](http://Federalreporting.gov); and 6) prime recipient reports submitted to the Federal Subaward Reporting System and posted on [USASpending.gov](http://USASpending.gov).

The draft GAO report contains eight Recommendations for Executive Action to the DOJ, which are restated in bold text below and are followed by our response.

**To ensure that DOJ can identify overlapping grant programs to either consolidate or coordinate similar programs, mitigate the risk of unnecessary grant award duplication in its programs, and enhance DOJ's ability to gauge grant program effectiveness, we recommend that the Attorney General take the following eight actions:**

1. **Conduct an assessment to better understand the extent to which the department's grant programs overlap with one another and determine if grant programs may be consolidated to mitigate the risk of unnecessary duplication. To the extent that DOJ identifies any statutory obstacles to consolidating its grant programs, it should work with Congress to address them, as needed.**

The Department agrees with the Recommendation for Executive Action. DOJ will explore options to carry out an assessment for the purposes of determining the extent of unnecessary or inappropriate duplication (if any) and the risk associated with unnecessary or inappropriate program duplication within and across OJP, OVW, and COPS Office funding programs. One option under consideration is to dedicate resources from its Office of Audit, Assessment, and Management (OAAM) to conduct such a study.

2. **Coordinate within and among granting agencies on a consistent basis to review potential or recent grant awards from grant programs that DOJ identifies as overlapping, including subgrant awards reported by prime grant awardees, to the extent possible, before awarding grants. DOJ should also take steps to establish written policies and procedures to govern this coordination and help ensure that it occurs.**

The Department agrees with the Recommendation for Executive Action. The DOJ grant-making agencies will continue to closely collaborate on the development and implementation of grant programs and share information with each other to improve coordination prior to making awards. Using results from the DOJ assessment referred to in Recommendation 1, DOJ will be in a better position to develop a targeted and

Mr. David C. Maurer

Page 4

strategic approach to carry out a review of applications across all three components during the pre-award process. As part of this approach, DOJ will work to establish policies and procedures to govern this coordinated effort.

3. **Require its grant applicants to report all federal grant funding, including all DOJ funding, that they are currently receiving or have recently applied for in their grant applications.**

The Department agrees with the Recommendation for Executive Action. The results of the DOJ assessment referred to in Recommendation 1 will be used to guide DOJ on determining the appropriate breadth, scope, and application of this requirement. In the interim, each grant-making component will continue, upon issuing a solicitation, to make a determination whether information from its applicants on other Federal grant funding, as related to the purposes of the solicitation, would better inform its award decisions. For example, as presented in the GAO draft report, OVW determined that in FY 2012, four of its grant programs would obtain data from applicants on other Federal grant funding<sup>1</sup>. Similarly, in FY 2012, OJP's Office for Victims of Crime determined it was beneficial to request information on all sources of funding under its Wraparound Victim Legal Assistance Network Demonstration Project Solicitation.

4. **Provide appropriate OJP and COPS Office staff with access to both GMS and CMS and appropriate OVW staff with access to CMS.**

The Department agrees with the Recommendation for Executive Action, where this is technologically possible. OJP's Office of Chief Information Officer (OCIO) will provide COPS Office staff with read-only access to GMS and the Grants Payment Request System (GPRS).

The existing legacy version of the CMS application is not designed to enable access to users external to the COPS Office. However, the COPS Office is able to provide OJP and OVW with reports of CMS data and will work with OJP and OVW to provide such reports. In addition, COPS will pursue opportunities to leverage enterprise reporting systems managed by OJP when technically feasible.

Finally, one of the primary goals of the feasibility study referenced in Recommendation 5 is to improve information and data sharing among the grant-making components.

5. **Ensure that the planned evaluation of the feasibility, costs, and benefits of moving to a single grants management system include an assessment of the steps needed to harmonize DOJ grant processes so that any variation in how the granting agencies manage their portfolios is not an encumbrance to potential system unification.**

<sup>1</sup> As explained in the Department's technical comments, OVW included this provision in four of its FY 2012 solicitations, not its FY 2013 ones, which have not yet been released.

Mr. David C. Maurer

Page 5

The Department agrees with the Recommendation for Executive Action. OJP, OVW, and the COPS Office have initiated the feasibility study. The project kickoff meeting has been concluded and the first interviews were conducted on June 5, 2012. DOJ anticipates the study to be completed within the next six months. Identifying potential “harmonizing steps” represent one, but not all, facets of the study.

6. **Ensure the most timely reporting possible of grant award information to USASpending.gov according to OMB guidelines, which would enable its grantees to comply with their reporting responsibilities according to the same guidelines.**

The Department agrees with the Recommendation for Executive Action. DOJ agrees that timely reporting and posting of grant award information to USASpending.gov is critical to ensuring the accountability and transparency of Federal funding. As such, OJP will continue to do its best, within the constraints and limitations of the current reconciliation and remediation process, to timely make DOJ’s grant information publicly available at USASpending.gov. Additionally, OJP will continue to inform the Office of Management and Budget (OMB) of the challenges and obstacles it faces under the current reporting regimen established by OMB and Grants.gov.

7. **Assess whether OAAM relies on an appropriate mix of grant monitoring and program assessment, and determine whether the Office could support additional program assessments.**

The Department agrees with the Recommendation for Executive Action. In March 2011 the DOJ Office of the Inspector General (OIG) issued an audit report on OJP’s monitoring and oversight of Recovery Act and Non-Recovery Act grants (Audit Report 11-19). As part of this review, OIG found that –

“While OJP could have chosen to use the 3 percent of annual grant funding allowed by law to establish a much larger staff within OAAM to actually perform the on-site monitoring of grants awarded, it chose instead to implement a model in which the OJP program offices and bureaus use existing staff to perform on-site monitoring of grants awarded, and OAAM provides oversight and review of the monitoring performed by the program offices and bureaus. We believe that OJP and OAAM, while initially slow to implement this approach, have developed a reasonable approach for monitoring and overseeing Department grants.”

Relying on the work of its OIG, the Department supports OJP’s approach to monitoring and oversight.

The Department agrees that based on results of previous assessments, additional program assessments would be beneficial and would contribute to the improvement of grant programs and operations. However, the breadth of work carried out by OAAM, must, to the greatest extent possible, be informed by the corresponding funding available and the

Mr. David C. Maurer

Page 6

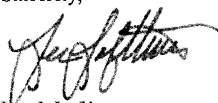
current resource environment. That said, DOJ will continue to explore creative and cost effective ways to support additional assessments.

8. **Assess the feasibility, costs, and benefits of OAAM providing assessments for OVW, in addition to OJP and the COPS Office. If DOJ determines that OAAM assessments of OVW grant programs would be more cost-effective and provide greater insight into the effectiveness of OVW grant programs than OVW's current approach, then the Attorney General should extend OAAM's oversight to include OVW.**

The Department agrees with the Recommendation for Executive Action. OJP and OVW have initiated discussions regarding OAAM functions and services and whether they might benefit OVW and its grantees. Although OAAM program assessments may enhance OVW's performance by tracking compliance with procedures and identifying program deficiencies, OVW does not anticipate that they would replace OVW's measuring effectiveness initiative. OAAM program assessments do not include all the components of OVW's current approach to measuring the effectiveness of its grantees' activities, including extensive training and technical assistance to grantees to support their data collection efforts, cleaning of grantee data, and an ongoing review of existing research to ensure that OVW-funded programs reflect current knowledge regarding best and evidence-based practices.

If I may be of further assistance to you, please do not hesitate to contact me. Your staff may also contact Louise Duhamel, Acting Assistant Director, Audit Liaison Group on 202-514-0469.

Sincerely,



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Mr. David C. Maurer

Page 7

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# Appendix VII: GAO Contact and Staff Acknowledgments

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## Staff Acknowledgments

In addition to the contact named above, Joy Booth, Assistant Director, and Christian Montz, Analyst-in-Charge, managed this assignment. Julie E. Silvers, Marya Link, Caitlin Carlberg, and Michael Sweet made significant contributions to the work. Michele Fejfar assisted with design and methodology. Janet Temko and Tom Lombardi provided legal support. Lara Miklozek provided assistance in report preparation.

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