National Task Force to End Sexual and Domestic Violence Against Women

VIOLENCE AGAINST WOMEN ACT (VAWA) ACCOUNTABILITY PROVISIONS

The domestic violence, dating violence, sexual assault and stalking communities care deeply about accountability and transparency in federal funding of anti-violence efforts**; inefficiencies and waste deprive victims of desperately-needed services**.

Since its enactment, VAWA has included important reporting and oversight provisions both for grantees and for the Department of Justice ("DoJ"). Once again in this reauthorization, **advocates are seeking enhanced oversight and transparency** to ensure that precious federal resources are directed most effectively to the survivors of violence they are intended to serve.

EXISTING VAWA ACCOUNTABILITY PROVISIONS:

- Grantee Reporting: All grantees are required by statute to limit their grant activities to program purpose areas and to submit reports on their activities to the disbursing agency. (42 U.S.C. § 13925 (b))
    - Current Department of Justice policy requires grantees to submit reports on both program activities and financial activities every six months.
    - The reporting forms are extensive, requiring detailed recordkeeping of every interaction with clients and every dollar spent; often the forms are over 35 pages long, before data is entered.
    - All data is collected and analyzed by the Muskie School of Public Service at the University of Southern Maine, pursuant to its *Measuring Effectiveness Initiative*.

- DoJ Reporting: Grantee reporting data (see above) provides the foundation of the Department of Justice, Office on Violence Against Women's statutorily-mandated *Biennial Report to Congress on the Effectiveness of Grant Programs Under the Violence Against Women Act*, available at: http://www.ovw.usdoj.gov/docs/2010-biennial-report-to-congress.pdf

- DoJ Oversight: The Department of Justice, Office on Violence Against Women is required to set aside three percent of total disbursements for program evaluation, including grantee site visits, financial audits, and "evaluations of promising practices or problems emerging in the field or related research, in order to inform the agency or agencies as to which programs or projects are likely to be effective or responsive to needs in the field." (42 U.S.C. § 13925 (b))

- Non-Supplanting Requirement: Since VAWA was first passed in 1994, grantees have been required to certify that "Any Federal funds received under this title shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities under this title." (42 U.S.C. § 13925 (b))

    - Implications for Match: "Non-supplantation" means that grantees may not use federal program dollars raised for another purpose or program to satisfy a match requirement. Therefore, imposing a match would require programs to raise additional, unobligated funds for the sole purpose of securing federal funding. In the current economic climate, raising such funding will be nearly impossible for the many small, rural programs these dollars support.

- Prohibitions on Torts and Lobbying: Grantees have never been permitted to use federal dollars to pursue tort litigation or lobbying activities. (42 U.S.C. § 13925 (b))

- Criminal Penalties for Fraud: Anyone who fraudulently obtains or misapplies DoJ funds or assets is subject to criminal penalties. (42 U.S.C. § 3795)

PROPOSED VAWA 2012 ACCOUNTABILITY ENHANCEMENTS:

- More detailed reporting and evaluation requirements for all grantees
- Increased regulatory compliance requirements for all grantees
- More detailed reporting requirements for DoJ
- Requirement of DoJ to post grant awards, data analysis, and other reports online within a time certain
- Repeal of unfunded or ineffective programs; Consolidation of overlapping programs
- Across-the-board reductions in program budgetary authorizations