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Monday, 18 July 2011 13:11

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Prepared Statement of Ranking Member Chuck Grassley of Iowa

U.S. Senate Committee on the Judiciary

Hearing on "The Violence Against Women Act: Building on Seventeen Years of Accomplishments"

Wednesday, July 13, 2011

Mr. Chairman, thank you for holding today's hearing on the Violence Against Women Act (VAWA). This is an important law that has helped countless numbers of victims across the country break the cycle of domestic violence and move on to productive lives. The law created vital programs that support efforts to help victims of domestic violence, sexual assault, and stalking. Further, the law provides resources across the country to victim advocates, attorneys, counselors, law enforcement personnel, prosecutors, health care providers, emergency shelters, and many other services to help victims.

As an original cosponsor of the Senate version of the reauthorization, I remain deeply committed to ensuring federal resources are provided to programs to prevent and end sexual

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assault and domestic violence. There is, however, an unfortunate reality that we must face. We live in dramatically different times today than we did in 2000 or 2005 when VAWA was previously reauthorized.

Today, more than 14 million Americans are unemployed. That's a 9.2 percent unemployment rate. The unemployment numbers get worse each month and the national deficit keeps growing and growing. The federal government must drastically reduce its spending and bring the fiscal house in order. During these difficult economic times, we simply can't continue to allocate resources without verifying that the resources are being used as effectively and efficiently as possible. Now, that doesn't mean we do away with VAWA as a program. Instead, it means that as we in this committee look to reauthorize this program, we need to take a hard look at every single taxpayer dollar expended, determine how those dollars are being used, and determine if the stated purpose of the program is being met. The American taxpayers expect us to do this with every law and this hearing affords us that opportunity.

I have long advocated for reviewing grant management at the Department of Justice and determining if programs are meeting their expectations and complying with the law. Back in 2001, Senator Sessions and I requested the Government Accountability Office (GAO) to review all VAWA grant files at the Justice Department. That review found that VAWA files often lacked the documentation necessary to ensure that the required monitoring activities occurred. GAO found that a "substantial number of [VAWA] grant files did not contain progress and financial reports sufficient to cover the entire grant period." Ultimately, GAO concluded in the 2001 review that "because documentation about monitoring activities was not readily available, [DOJ] was not positioned to systematically determine staff compliance with monitoring requirements and assess overall performance." These are significant problems and unfortunately, it appears that they continue to persist a decade later.

A review of individual VAWA grantee audits that were conducted from 1998-2010 by the Department of Justice Inspector General indicates that the problem with VAWA grantees' administration and record keeping may actually be getting worse. During this timeframe, the Inspector General conducted a review of 22 individual grantees that received funding from VAWA programs. Of those 22 grantees, 21 were found to have some form of violation of grant requirements ranging from unauthorized and unallowable expenditures, to sloppy record keeping and failure to report in a timely manner. Some of these audits are downright appalling. In 2010, one grantee was found by the Inspector General to have questionable costs for 93 percent of the nearly \$900,000 they received from the Justice Department. Another audit, this one from 2009, found that nearly \$500,000 of a \$680,000 grant was questioned because of inadequate support for expenditures. Another audit in 2005 questioned \$1.2 million out of a \$1.9 million grant. The list goes on and on for pages. Simply put, in today's economic environment, we cannot tolerate this level of malfeasance in federal grant programs. There are

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too many victims out there that do not have access to necessary services for the Justice Department to continue to provide funding to entities that play fast and loose with taxpayer dollars.

So, how do we fix this problem? To start, we need a legitimate, rigorous evaluation of the VAWA program to ensure that these sorts of grantees are prohibited from getting funds. That can be done by building effective anti-fraud measures into the legislation, such as debarring poor and underperforming grantees. It also means requiring annual audits and evaluations of program grantees. Unfortunately, as our witness from GAO will point out today, it is difficult to evaluate VAWA grantee performance because the data that is provided to Justice Department by grantees is often difficult to evaluate given varying definitions among different programs. GAO also notes that "information gaps" exist because the various authorizing statutes for different grants for victim's services have different purposes. Finally, GAO notes that the various grants administered by both the Department of Health and Human Services and the Department of Justice use varying data collection practices making uniformity of data difficult. Taken together, GAO notes that while the agencies are making progress to address the gaps in data, these important issues need to be addressed by Congress as we consider reauthorizing VAWA. Given the difficult financial situation that our nation faces, it is imperative that any reauthorization of VAWA include, at a minimum, new studies to determine how effective VAWA programs are, whether grantees are providing adequate services for the amount of funding they receive, and how we root out and cut down on fraud and abuse by VAWA grantees. This grant program accountability will help to ensure that services really go to those in need.

Another issue that must be addressed during the reauthorization process is immigration marriage fraud. Specifically, I'm concerned about the reports that some of the procedures employed by the United States Citizenship and Immigration Services actually help to facilitate immigration marriage fraud, and some of it is further enhanced by provisions under VAWA.

I'm glad we have a witness here today to tell her story about how provisions of VAWA were manipulated by her ex-husband to facilitate his access to a green card. As a past cosponsor of VAWA reauthorizations, I'm saddened to hear this example of how a law designed to help victims, may be used to continue to abuse victims of domestic violence.

These are important issues that should be addressed as part of any reauthorization. We are well past the time where we can continue to reauthorize programs without giving them the scrutiny needed to ensure that the population we are trying to help, here victims of domestic violence, are getting the services they need. We also have a duty to ensure that those programs are actually working, are not subject to fraud, waste, or abuse, and that victims are

Violence Against Women Act, Keeping waste and fraud out of the program and ensuring funds help victims

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not harmed by the programs themselves.

We must do everything in our power to help victims of abuse and domestic violence. At the same time, we face a new challenge of making sure we get it right and simply don't write another check on the taxpayer's dime without ensuring the program is meeting its goals.

I look forward to hearing the testimony from the witnesses and working with members of the Judiciary Committee on finding the right approach.

Thank you.

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