

**Comments to the Report of Investigation of
U.S. Department of Justice, Office of Justice Programs, National Institute of Justice
OSC File No. DI-15-3489
Washington, DC, February 26, 2016**

Dear Mr. President, U.S. Senate Judiciary Committee Chair and Members, and U.S. Office of Special Counsel:

I, Donna J. Davis, am a Grants Management Specialist (GM) with the Department of Justice (DOJ), Office of Justice Programs (OJP), National Institute of Justice (NIJ). I have been employed in this capacity since Dec. 2013 and prior to that, as a Social Science Analyst (SSA) with NIJ, beginning in Feb. 2011. The following comments and attachments are a very brief overview of the documentation I have gathered to date which reveal fraud, waste, and abuse and acts of whistleblower retaliation within NIJ over the past five (5) years. Specifically, the five (5) attached spreadsheets (Appendices 1-5) are an up to date list of all of the grants wherein I have discovered fraud, waste and/or abuse in NIJ. Appendices 1-3 provide information on pre-award communication I have found on not only my assigned grants, but those of two (2) other GMs in NIJ; over \$61.8 million in total affected federal funds for grants with pre-award communication noted to date (See Appendix 1). Appendices 4 and 5 provide information on incentives and post-award wrongdoing on only my assigned grants and/or ones in which I received documentation of the violation(s). Thus, the number of affected grants in both of those areas is likely 3 or 4 times greater than the over \$1.8 million in incentives funds and \$9.5 million in post-award wrongdoing noted to date.

Please, know that there is documentation to support the addition of each and every grant/line item on the five (5) attached spreadsheets. As noted above, there are likely other NIJ grants with fraud, waste, and/or abuse as well, particularly in the area of incentives and post-award wrongdoing; however, the spreadsheet only includes those grants wherein I was able to discover, obtain, and save written documentation of the violations. Earlier versions of the spreadsheets were attached to the U.S. Office of Special Counsel (OSC) June 3, 2015, referral letter that precipitated the Report of Investigation (OJP Report) and this Comment (Response). Thus, DOJ, OJP, and NIJ management have formally known about the widespread nature of the problem since June 2015, and earlier due to my numerous, direct reports to management, dating as far back as April 2014.

As discussed in this Response, the documentation I have gathered to date reveals violations of fair and open competition at all stages of the pre-award grant process (prior to solicitation release, after solicitation release but before closing, and after solicitation closing but prior to award decision). The documentation also reveals waste in the area of grant incentives and inappropriate NIJ involvement in post-award activities, including grant subcontract processes. Moreover, in addition to reporting these allegations to outside oversight and

investigative offices, I reported them to numerous NIJ and OJP management personnel, leading to retaliatory action brought against me throughout 2014, 2015, and now in 2016.

As a preliminary matter, it is important to note that the OSC inquiry, dated June 3, 2015, that precipitated the OJP Report was not referred to DOJ's Office of the Inspector General (OIG), or other outside, independent investigative agency, for investigation. Rather, Attorney General Loretta Lynch decided to refer it to OJP and its own in-house OJP counsel, Ms. Ruchi Jain, for follow-up instead. Ms. Jain is not independent, she is employed by OJP, nor is she impartial, she has a very apparent bias towards OJP and even recently represented OJP in another whistleblower matter. Thus, by assigning the matter to OJP in-house counsel to investigate, one who is not trained to conduct such investigations, there is both an appearance of impropriety surrounding the agency's decision and an actual conflict of interest by having Ms. Jain conduct the inquiry. Both of these issues led the U.S. Senate Judiciary Committee to question this decision in its letter to Attorney General Lynch in September 2015 (See Appendix 6), and on the Committee's own website.¹

This appearance of impropriety and conflict of interest were the sole reasons for my refusal to interview with Ms. Jain in August 2015. However, in addition to the attachments that accompanied OSC's June 2015 referral letter, in August 2015, I forwarded updated spreadsheets to Ms. Jain with lists of problematic grants, earlier versions of the spreadsheets found in Appendices 1-5 to this Response. As with the attached spreadsheets, the ones forwarded to Ms. Jain included grants recently awarded by NIJ in 2015 and all of the spreadsheet entries had easily accessible documentation of fraud, waste, and/or abuse via OJP's electronic Grants Management System (GMS) and/or NIJ employee calendars.

As enumerated in the attached Response document and appendices, there are a number of oversights, shortcomings, and fatal flaws in the OJP Report. These include:

1. Failure to interview all of the current and former NIJ employees involved in and/or knowledgeable of the violations;
2. Failure to understand the applicability of controlling laws and policies, including OJP's Grants Manager's Manual, that apply to all OJP grants, regardless of the employee's title;
3. Failure to access the written documentation (readily available in GMS and elsewhere) which provides clear and convincing evidence of the violations; and
4. Failure to understand the egregiousness of the violations committed within NIJ, violations that both pre- and post-date the most recent changes in NIJ management.

Again, each of these problems would likely have been avoided if the Attorney General had referred the investigation to an appropriate investigative office for follow-up. However,

¹ <http://www.grassley.senate.gov/news/news-releases/grassley-questions-legitimacy-doj-internal-investigation-grant-practices>

when the decision was made to handle the inquiry in-house in OJP, I forwarded hundreds of emails and over a thousand documents to DOJ's OIG, written documentary evidence for each of the entries on the spreadsheets found in Appendices 1-5. It is my hope that the matter will now be referred to them, as the U.S. Senate Judiciary Committee letters from July and September 2015 request as well (see Appendices 6 and 7), for appropriate follow-up.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donna J. Davis".

Donna J. Davis, Esq., Ph.D.

Disclaimer: *The information contained within is solely of the author's and based upon observations, knowledge, personal beliefs and experiences gained while working at the United States Department of Justice (DOJ), Office of Justice Programs (OJP), National Institute of Justice (NIJ) as a federal employee. The comments contained within are not meant and shall not be misconstrued or utilized for any other purpose other than as intended for the purpose of completing the investigative process. Any comments, statements, citations, views, opinions expressed in this report by the author shall not be used for purposes of reprisal against the author. Any comments, statements, citations, views, opinions, conclusions, and analysis expressed in this report shall not be used by individuals whose names were referenced in the report for any purpose whatsoever. The author does not assume responsibility or liability for any and all of the content presented herein. The author's role was simply to identify the facts and provide witness-generated context and content for the sole purpose of facilitating determinations by the appropriate authorities. The material that follows is protected under U.S. copyright law.*

Background

The Office of Justice Programs (OJP) is an arm of the U.S. Department of Justice (DOJ), charged with providing financial and programmatic assistance to state and local organizations and evidence-based research into a wide variety of criminal justice-related issues. One of OJP's stated goals is to: "Administer OJP's grant awards process in a fair, accessible and transparent fashion" and "as good stewards of federal funds, manage the grants system in a manner that avoids waste, fraud and abuse."¹

The National Institute of Justice (NIJ) is one of six (6) offices located within OJP. NIJ's mission statement identifies it as the "the research, development and evaluation agency of the U.S. Department of Justice" and states that NIJ "is dedicated to improving knowledge and understanding of crime and justice issues through science" by providing "objective and independent knowledge and tools to reduce crime and promote justice, particularly at the state and local levels."² NIJ operates via three (3) office divisions, the Office of Research and Evaluation (ORE), the Office of Investigative and Forensics Sciences, and the Office of Science and Technology. ORE's mission states that it: "develops, conducts, directs and supervises research and evaluation activities to prevent and reduce crime and violence and promote justice through social and behavioral research."³ There are three (3) divisions within ORE, Violence and Victimization Research Division (VVRD), Crime and Crime Prevention Research Division (CCPRD), and Justice Systems Research Division (JSRD).

¹ <http://ojp.gov/about/mission.htm>

² <http://www.nij.gov/about/Pages/welcome.aspx>

³ <http://nij.gov/about/pages/ore.aspx>

In addition to other funding instruments, such as contracts, NIJ awarded nearly a quarter of a billion dollars in grant funds in 2015, funds that were either a part of NIJ's base funds, line item appropriations, and/or interagency agreements with other federal offices such as OJP's Office on Violence Against Women or Office for Victims of Crime. Approximately a third of NIJ's overall grant funds for 2015 (roughly \$80 million) were awarded via ORE grants.⁴

The following reflects NIJ and ORE management over approximately the past six (6) years:

- NIJ Director:
 - Nancy Rodriguez, February 2015 to Present
 - William (Bill) Sabol (Acting Director), July 2014 to February 2015
 - Greg Ridgeway (Acting Director), January 2013 to July 2014
 - John Laub, July 2010 to January 2013
 - Kristina (Kris) Rose (Acting Director), 2009 to July 2010
- NIJ Deputy Director (Supervisory Program Manager):
 - Howard Spivak (Principal Deputy Director), October 2014 to Present
 - Jennifer Scherer, August 2015 to Present
 - Greg Ridgeway, July 2012 to July 2014
 - Kris Rose, 2009 to August 2013
 - Ellen Scrivner, 2009 to 2012
 - Ed Zedlewski, 2008 to 2011
- ORE Director (Supervisory Social Science Analyst):
 - Seri Irazola, Sept. 2014 to Present
 - Phyllis Newton, 2010 to Sept. 2014

Approximately fourteen (14) Social Science Analysts (SSAs) are currently employed within ORE across the three (3) divisions, and there are four (4) Grant Management Specialists (GMs) assigned to manage all of ORE's grants. I am one (1) of those four (4) GMs. SSAs handle all pre-award matters in ORE; they draft solicitations, manage peer review processes, and provide recommendations and documentation to NIJ management as it makes award decisions. After grants are awarded, GMs in ORE then manage the grants throughout their lifetimes, up to the point of closeout. Among other things, GMs ensure grantee and NIJ adherence with federal rules and regulations, monitor grantee compliance to the project plan and goals, and aid grantees as issues arise and their grant progresses through its prescribed timeline.

Within the past four (4) years, NIJ has undergone a structural reorganization. The reorganization began under Acting Director Greg Ridgeway in 2012, and was finalized under current NIJ Director Nancy Rodriguez, in 2015. Prior to December 2012, SSAs used to manage grants, performing all pre- and post-award activities. As of December 2012, the GM series (GS-

⁴ <http://www.nij.gov/funding/awards/Pages/2015.aspx>

1109) was added to NIJ and pre- and post-award duties were divided, as delineated above, between SSAs and GMs. However, as seen in Appendices 1-3, to date there are still some grants assigned to and managed by SSAs, and SSAs continue to be “assigned” to grants managed by GMs as well. While they have no official capacity on the grants managed by GMs, NIJ allows SSAs to have considerable say in what happens on those grants by requiring GMs to defer to them on a number of issues.

Comments to the REPORT OF INVESTIGATION

The following comments are provided by Federal Government employee and witness, Grants Management Specialist, Donna J. Davis. They consist of 112 pages, including Appendices 1-13. In addition to the cited facts, context has been furnished to provide a fuller understanding and consideration of the reported misconduct of NIJ discussed in OSC’s June 3, 2015, referral letter. Comments have also been made regarding the shortcomings and fatal flaws of OJP’s January 13, 2016 Report of Investigation, File Number DI-15-3489 (OJP Report).

Comments and corrections have been prepared for the OJP Report and, where applicable, the U.S. Office of Special Counsel (OSC) June 2015 referral letter that precipitated it. Specifically, these Comments (the Response) address the following fatal errors of the OJP Report:

- I. Failure to interview all of the employees involved in or knowledgeable of the violations;
- II. Failure to understand the applicability of controlling laws and policies that apply to all OJP grants, regardless of the employee’s title;
- III. Failure to access the written documentation (readily available in GMS and elsewhere) which provides clear and convincing evidence of the violations; and
- IV. Failure to understand the egregiousness of the violations committed within NIJ, violations that both pre- and post-date the 2014 and 2015 changes in NIJ management, specifically in regards to pre-award communication, participant incentives, and post-award violations.

Each of these is addressed in turn below.

I. FAILURE TO INTERVIEW ALL RELEVANT ORE EMPLOYEES

When Attorney General Loretta Lynch, received the OSC referral in June 2015, she chose not to refer it to DOJ’s Office of the Inspector General (OIG) for proper investigation, but assigned it to OJP’s own in-house counsel, Ms. Ruchi Jain, instead. Ms. Jain, not trained in

conducting audits or investigations of this sort, failed to do a thorough investigation of the matter. Preliminary evidence of this is seen in the list of individuals Ms. Jain interviewed and, most glaringly, who is missing from that list.

For example, in developing the OJP Report, Ms. Jain interviewed only four (4) of the fourteen (14) SSAs currently employed within ORE. All four (4) of the SSAs Ms. Jain interviewed are employed within the same division in ORE (Violence and Victimization Research Division (VVRD)). None of the SSAs in ORE's other two (2) divisions (Crime and Crime Prevention Research Division (CCPRD) and Justice Systems Research Division (JSRD)) were interviewed. Specifically, not interviewed were:

- Katharine Browning, Senior Social Science Analyst (JSRD)⁵
- Nadine Frederique, Senior Social Science Analyst (CCPRD)
- Linda Truitt, Senior Social Science Analyst (JSRD)
- Mary Poulin Carlton, Social Science Analyst/Detailee (CCPRD)
- Brett Chapman, Social Science Analyst (JSRD)
- Basia Combs, Social Science Analyst (CCPRD)
- Marie Garcia, Social Science Analyst (JSRD)
- Eric Martin, Social Science Analyst (JSRD)
- Marilyn Moses, Social Science Analyst (JSRD)
- Aisha Qureshi, Social Science Analyst (CCPRD)

Ms. Jain also failed to interview any of the former NIJ Directors, who were overseeing NIJ during the awarding of the 2014 and earlier grants listed in Appendices 1-5. Two (2) of those directors, former Acting Director Kris Rose and former Acting Director Bill Sabol, are still employed within OJP, at the Office for Victims of Crime and Bureau of Justice Statistics respectively, and as such are readily available to be interviewed.

Ms. Rose was Acting Director of NIJ during the 2009 release of the 2005-2007 audit report by the U.S. Department of Justice Office of the Inspector General (OIG) and when the 2010 NIJ Policy, developed in response to the OIG report and discussed in Section II below, was enacted. In fact, Ms. Rose was the one to sign the 2010 NIJ Policy, making it active.

Mr. Sabol was Acting Director from mid-2014 to early 2015, prior to the current Director's, Ms. Nancy Rodriguez's, tenure at NIJ. Mr. Sabol was Acting Director while some of the pre-award communication activities noted herein occurred and while several of the incentives for 2014 grants were reviewed and/or approved. However, despite their involvement in and first-hand knowledge of the issues outlined in OSC's referral letter, Ms. Jain failed to interview Ms. Rose and/or Mr. Sabol, or any of the other former NIJ Directors from the past six (6) years (i.e., Greg Ridgeway and/or John Laub).

⁵ Ms. Browning is now on a thirteen (13) month detail assignment in Ms. Jain's own office, OJP's Office of the Assistant Attorney General Karol Mason.

In addition, Ms. Jain failed to interview even a single GM in her “investigation.” The OJP Report reveals that Ms. Jain sought to interview only two (2) of the four (4) GMs who manage ORE grants, both declined due to the investigation’s inherent credibility issues (myself and Ms. Cathy Girouard). Ms. Jain failed to contact the other two (2) ORE GMs at all. Not contacted for an interview were:

- Laurie Bright, Senior Grants Management Specialist
- Natasha Kenon, Grants Management Specialist

Seven (7) of the ten (10) SSAs and all of the GMs listed above are included in the spreadsheets found in Appendices 1-3, and were in the earlier versions attached to the June 2015 OSC referral letter and supplied to Ms. Jain in August 2015. Moreover, some of the above-listed SSAs that were not interviewed were involved in the most egregious acts of wrongdoing, documented in Appendices 1-5. For example, one (1) of the SSAs not interviewed was in conversations with a proposed subcontractor, a former member of NIJ’s standing peer review panel, while two (2) of the 2015 solicitations were still open. The SSA’s calendar appointment, created and placed on her calendar by the SSA herself, reveals she was in discussions with that proposed subcontractor to accept an all-expense paid trip to the subcontractor agency’s office in Tennessee the week after each of the solicitations closed (See Appendix 8). See also lines 28 and 69 in Appendix 1 and lines 12 and 22 in Appendix 3 (provided below) and lines 11 and 26 of Appendix 4, the incentives spreadsheet (attached).⁶

Appendix 1, Line 28; Appendix 3, Line 12					
SSA Name(s)	Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	SSA Action(s)
N. Frederique & D. Blachman-Demner	2015-R2-CX-0004 (Children Exposed to Violence (CEV) grant award)	National Children's Advocacy Center (NCAC)	1/1/2016; 12/31/2018	\$755,136	Pre-Award Communication - N. Frederique was invited by Sherry Hamby at Life Paths Appalachian Research Center (LPARC) at Sewanee University to visit their site 4-14-2015 to 4-17-2015 (trip to be paid in full by LPARC); CEV solicitation closed 4-8-2015; Trip was included on SSA's calendar, with embedded email, until removed at last minute; Over \$300k going to subcontractor LPARC (Co-PI, Sherry Hamby) over all years of grant and \$5850 going to other LPARC staff member (J. Grych) as consultant on grant; S. Hamby served on NIJ 2014 Standing Peer Review Panel; D. Blachman-Demner sent questions to subcontractor LPARC/S. Hamby (NOT applicant) and received response on 7-10-2015 (appears to be only application w/ pre-award contact from CEV Solicitation), Response doc uploaded to GMS on 7-13-2015; Funding Memo signed 7-16-2015; Funding Table lists applicant's responses as "satisfactory"

⁶ As an aside, it’s also important to note that this SSA was promoted to a Senior Social Science Analyst position in NIJ, a grade 14 position, within months following her involvement on these two (2) grants.

Appendix 1, Line 69; Appendix 3, Line 22					
SSA Name(s)	Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	SSA Action(s)
N. Frederique	2015-R2-CX-K127 (Bias Crime grant award)	University of New Hampshire	1/1/2016; 12/31/2017	\$624,638	Pre-Award Communication - SSA was invited by Sherry Hamby at Life Paths Appalachian Research Center (LPARC) at Sewanee University to visit their site 4-14-2015 to 4-17-2015 (trip to be paid in full by LPARC); Bias Crime solicitation closed 4-13-2015; Trip was included on SSA's calendar, with embedded email, until removed at last minute; Approx. \$100k going to subcontractor LPARC (Co-PI, Sherry Hamby) over both years of grant; S. Hamby served on NIJ 2014 Standing Peer Review Panel

All documentation referred to in the chart above (i.e., appointment included in Appendix 8, budget documents showing the money going to subcontractor (LPARC) and consultant Grych, GMS snapshots showing the uploading of pre-award communication, pre-award communication documents, funding memos, and funding tables) are accessible in GMS and/or via Ms. Frederique’s calendar. All of these items have also been forwarded to DOJ’s OIG.

As this example illustrates, failure to interview ten (10) of the fourteen (14) ORE SSAs, any of the former NIJ Directors, and any of the ORE GMs is a fatal error in the OJP Report, calling into question the integrity of the investigation as a whole and negating any and all of its “findings” entirely. Due to the insufficiency of the OJP Report and the investigation underlying it, the rest of this Response focuses on the Report’s shortcomings by highlighting the laws and policies overlooked or misconstrued in the OJP Report and some glaring examples of the violations within NIJ, some discussed in the Report and some overlooked entirely.

II. FAILURE TO UNDERSTAND THE APPLICABILITY OF CONTROLLING LAWS AND POLICIES

As any federal employee can attest, one of the main differences between private and public service is the fact that much of the responsibilities and duties of public servants are defined by federal laws, rules, regulations, and policies. Failure to comply with any or all of these could result in serious, even criminal, sanctions. Some of the applicable laws and policies violated by NIJ in regards to this matter can be found in:

- A. OJP’s Grant Manager’s Manual (GMM)⁷ and the OJP order enforcing the GMM⁸;

⁷ <https://ojpnet.ojp.usdoj.gov/info/resources/Grants/gmm/SitePages/Home.aspx>

⁸ <https://ojpnet.ojp.usdoj.gov/info/resources/Grants/ResourceLibrary/OJPManual4500-2D.pdf>

- B. OJP Financial Guide⁹, 2CFR 200 and 220¹⁰, and NIJ's policy on participant support costs and incentives¹¹;
- C. NIJ's 2010 Policy, "Guidelines on the Administration and Management of NIJ Grant Programs;"¹² and
- D. Whistleblower Protection Act of 1989, the Whistleblower Protection Enhancement Act of 2012, and Presidential Policy Directive 19.

A. Grant Manager's Manual (GMM) and OJP Order Enforcing the GMM

As clearly stated in the first section of OJP's Grant Manager's Manual (GMM), the GMM is not limited to only certain OJP personnel, but applies to all of the OJP grant programs themselves, and all personnel involved therein:

The Grant Manager's Manual (GMM) documents policies and procedures for the administration and management *of all OJP grant programs*. The objective of the GMM is to set a standard process for grant processing and management. This manual includes policies, guidelines, and instructions for performing specific activities associated *with all stages of the grants management process*.¹³

Moreover, the OJP order which enforces the GMM states that:

All OJP personnel are expected to abide by the policies, procedures, and time frames as stated in the manual.¹⁴

However, despite this clear dictate, on page 8 of the OJP Report, is the following statement: "SSAs, however, expressed differing views on whether the GMM applies to them because they technically no longer "manage" grants after the ORE reorganization." Then, on page 6 of the OJP Report:

When interviewed, [NIJ Director] Rodriguez maintained that her requests for more information from applicants – by virtue of coming from her as the Director – are de facto compliant with the policy.

Regardless of their lack of understanding, it is clear from the GMM and the order enforcing it, that SSAs, the NIJ Director, and any and all other NIJ personnel, are bound to adhere to all of the requirements of the GMM, at all times, in all grant programs.

⁹ <http://ojp.gov/financialguide/index.htm>

¹⁰ <https://www.gpo.gov/fdsys/pkg/CFR-2013-title2-vol1/pdf/CFR-2013-title2-vol1-part220.pdf>

¹¹ <http://www.nij.gov/funding/Pages/research-participant-costs-and-incentives.aspx>

¹² <http://www.nij.gov/Documents/guidelines-for-administration-and-management-of-nij-programs.pdf>

¹³ GMM, Chapter 1 (emphasis added).

¹⁴ <https://ojpnet.ojp.usdoj.gov/info/resources/Grants/ResourceLibrary/OJPManual4500-2D.pdf> (emphasis added).

Among other things, this includes the sections of the GMM specific to fair and open competition, and the prohibition on providing grant applicants for competitive awards individual assistance. Specifically, the GMM states:

Since individual assistance to applicants in a competitive process may create an unfair advantage to other applicants, ***OJP staff members may not provide individual assistance to competitive applicants.***¹⁵

To ensure fair competition for limited discretionary funds, the following conditions are not valid reasons to permit late submissions:

- Failure to begin the registration process in sufficient time
- Failure to follow Grants.gov and GMS instructions on how to register and apply
- Failure to follow all of the instructions in OJP's solicitations
- Technical issues experienced with the applicant's computer or information technology (IT) environment, including firewalls¹⁶

The GMM also states that it applies to all grant awards, both grants and cooperative agreements, and that should any office-level policy conflict with it, the GMM is the prevailing policy, unless a waiver is sought and received as specified therein. Namely, Chapters 1.1 and 1.2 of the GMM state:

Chapter 1.1 -

The term "grant" refers to both cooperative agreements and grants, unless otherwise stated.

To the extent that any office-level procedures, guidance, or policies conflict with the provision(s) of the manual, the manual is the controlling document, except in cases where the Office of the Assistant Attorney General (OAAG) approves the deviation, per section 1.2.

Chapter 1.2 -

If an OJP manager determines that a policy should not or cannot be applied to a program, project, or particular circumstance of a program or project, a written request for waiver must be submitted to the OJP Deputy Assistant Attorney General (DAAG) for Operations and Management. This request should specify the provisions of the policy considered not applicable to the project, program, or circumstance; the reasons they are not applicable; and the proposed substitute provision.

To date, NIJ has not sought nor obtained a waiver to any portion of the GMM, including the sections pertaining to preserving fair and open competition included above. Thus, these provisions along with the rest of the GMM, applies to all NIJ grants and cooperative agreements, and all NIJ personnel are required to adhere to these dictates. However, as outlined in

¹⁵ GMM, Chapter 4.7 (emphasis added).

¹⁶ See GMM, Chapter 5 (emphasis added).

Appendices 1-3, the above-referenced sections of the GMM have been violated, multiple times and over multiple years, in NIJ.

B. OJP Financial Guide, 2CFR 200 and 220, and NIJ Policy on Participant Support Costs and Incentives

As with the GMM, the OJP Financial Guide (the Guide) applies to all DOJ grant awards. Among other things, the Guide provides guidance on pre- and post-award budget reviews and unallowable costs.

For example, Section 2.1, the Application Process section, of the Guide requires the following:

OJP or the awarding agency is required to ensure that awards meet certain legislative, regulatory, and administrative requirements. This policy requires that OJP or other awarding agency makes sure of the following:

- The applicant is eligible for the specified program.
- ***The costs and activities in the application are for allowable, allocable, necessary, and reasonable costs.***¹⁷
- The applicant possesses the responsibility, financial management, fiscal integrity, and financial capability to administer Federal funds adequately and appropriately.

OJP will complete a financial review of your application to ensure that you are financially capable and have the financial integrity to administer Federal funds. As part of this review, OJP will take all of the following steps:

- Perform a cost analysis of your project.
 - OJP will obtain cost breakdowns, verify cost data, evaluate specific elements of cost, and ***examine data to determine the necessity, reasonableness, allowability, allocability, and appropriateness of your proposed cost.***¹⁸

However, despite this requirement, twice in the OJP Report, NIJ management made the following admissions: “A grant applicant’s proposal to use incentives as part of a research plan is reviewed ***only during the final budget review, after the grant has been awarded***”¹⁹ and “incentives are ***only reviewed after the grant has been awarded.***”²⁰ Thus, NIJ is admittedly acting in a way contrary to the OJP Financial Guide, which requires a vigorous financial review prior to grant award, including a determination of allowable and unallowable expenses and the appropriateness of costs.

¹⁷ Emphasis added.

¹⁸ Emphasis added.

¹⁹ OJP Report, pg. 8 (emphasis added).

²⁰ OJP Report, pg. 11 (emphasis added).

Incentives are cash, gift cards, trinkets, or anything of monetary value given to participants in a research project. Incentives are considered “gifts” and are not reimbursement of participants’ actual expenses. Incentives are designed to boost recruitment and retention of participants and are frequently advertised in order to entice individuals to participate in a project. In contrast, participant support costs are the nominal reimbursement of the expense of participating in a project, akin to jury duty pay. For example, subway tokens, parking reimbursement, and a nominal remuneration for participant time are examples of participant support costs. Specifically, 2 CFR Part 200.75 defines participant support costs as:

Participant support costs means direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences, or training projects.

The most important difference between the two is this: incentives are unallowable under the Guide and 2 CFR 200 and 220, whereas participant support costs, as long as they are going to actual expenses and meet the reasonableness requirement, are allowable.

For example, the Guide provides a link to 2 CFR 220, which states:

Unallowable advertising and public relations costs include the following: Costs of promotional items and memorabilia, including models, **gifts**, and souvenirs²¹

This same, verbatim language can be found in 2 CFR 200²² and, in keeping with it, OJP’s Office of Chief Financial Officer has repeatedly provided guidance to NIJ that incentives are considered gifts, and as such are not allowable.

Contrary to the OJP Report, NIJ developed its policy on participant support costs and incentives (NIJ Incentives Policy) in 2014, posting it online in January 2015, prior to when many of the FY14 incentives were reviewed and approved. Thus, it has essentially been in effect for both 2014 and 2015 grants. The NIJ Incentives Policy includes the following:

Although incentives are typically considered gifts and thus ***often unallowable, under specific circumstances, NIJ may approve the use of incentives, provided the incentive and amount proposed meet the definition of reasonable.***²³

This policy contradicts the Guide and 2CFR 200 and 220, which state that gifts are ***always*** unallowable and which do not provide for an exception in the case of “reasonable” gifts. In fact, the reasonableness of the gift is irrelevant.

Other OJP offices appear to have successfully adhered to these federal rules and regulations. For example, OJP’s Bureau of Justice Assistance (BJA) included the following language in its relevant 2015 grant solicitations:

²¹ 2 CFR Part 220(f) (emphasis added).

²² 2 CFR 200(e).

²³ <http://www.nij.gov/funding/Pages/research-participant-costs-and-incentives.aspx> (emphasis added).

Unallowable Uses for Award Funds

In addition to the unallowable costs identified in the OJP Financial Guide, award funds may not be used for the following:

- Prizes/rewards/entertainment/*trinkets* (or any type of monetary incentive)
- ***Client stipends***
- ***Gift cards***
- Vehicles
- Food and beverage
- Costs that do not support approved project activities

For questions pertaining to budget and examples of allowable and unallowable costs, see OJP Financial Guide at www.ojp.usdoj.gov/financialguide/index.htm.²⁴

Specifically, in a 2015 solicitation encouraging collaboration among practitioners and researchers in mental health service settings, projects similar to those funded by NIJ, BJA included the above language. Thus, regardless of whether or not a population is difficult to recruit and/or retain, regardless of whether the study interventions may involve discomfort for the participants, and regardless of how “reasonable” NIJ management believes the incentives are, other OJP offices are complying with the federal rules and regulations regarding unallowable costs and are prohibiting any and all incentives on their grants.

As with the ban on federal funds for food and beverage expenses, the restriction on using federal funds for participant incentives does not bar grantees from seeking and using nonfederal funds to pay for these expenses, it just prohibits the use of federal funds in this fashion. Thus, as discussed later in this Response (see Section IV below) and as detailed in Appendix 4 to this Response, while federal grant funds must not be used to pay for incentive expenses as they are unallowable under the applicable federal rules and regulations, contrary to the views expressed in the OJP Report, this dictate is frequently being violated in NIJ.

C. NIJ 2010 Policy Developed in Response to 2009 OIG Report

In 2009 DOJ’s OIG released a report auditing NIJ’s practices for awarding grants and contracts in fiscal years 2005-2007 (2009 OIG Report), including the OIG noting NIJ involvement in subcontracts on grants and cooperative agreements and conflict of interest problems in the awarding of NIJ grants as issues requiring follow-up attention.²⁵ In response to the problems and violations outlined in this report, NIJ developed and implemented a policy in 2010 entitled “Guidelines on the Administration and Management of NIJ Grant Programs” (2010 NIJ Policy) that, among other things, explicitly prohibited any NIJ involvement in grant subcontracts and included Office of General Counsel (OGC) guidance on conflicts of interest.

²⁴ See, for e.g., <https://www.bja.gov/%5CFunding%5C15JMHCpsol.pdf> (emphasis added).

²⁵ <https://oig.justice.gov/reports/OJP/a0938.pdf>

Prohibition on NIJ involvement in subcontractor selection process. In particular, Section IX of the 2010 NIJ Policy states:

Effective immediately, no NIJ staff member may *require or infer* that a grantee should use a specific subgrantee to perform work related to a grant without *compelling, contemporaneously documented reasons* and specific *prior approval* of the NIJ Director. All such documentation *shall be retained in the Grants Management System (GMS)*.²⁶

The OSC referral letter which precipitated the OJP Report mistakenly attributed this restriction to the GMM. The OJP Report then erroneously attributed it to the 2009 OIG Report itself.²⁷ However, both of those references are incorrect. This section is found in NIJ's own policy, a policy which NIJ posts on its website to this day.²⁸ Moreover, when the policy was violated on a number of my grants and cooperative agreements in 2014 and 2015 (one of which is discussed in-depth in Section IV below), I personally emailed this policy to the following individuals, on the following dates:

- Acting NIJ Director Bill Sabol:
 - October 23, 2014
 - October 30, 2014
 - November 13, 2014
 - February 3, 2015
- NIJ Deputy Director Howard Spivak:
 - January 22, 2015
 - February 3, 2015
- ORE Director Seri Irazola:
 - October 30, 2014
 - November 13, 2014
 - February 3, 2015
- Senior SSA Christine Crossland: January 22, 2015
- OGC Attorney-Advisor Rhonda Craig: January 22, 2015

Despite the fact that this language is part of NIJ's own policy, page 7 of the OJP Report includes the following admission by NIJ management:

The relevant language quoted in the OSC letter is not, as cited, part of the GMM but is from the referenced Office of the Inspector General (OIG) report, *with which the new NIJ management is only somewhat familiar*.²⁹

²⁶ <http://www.nij.gov/Documents/guidelines-for-administration-and-management-of-nij-programs.pdf> (emphasis added).

²⁷ See OJP Report, pg. 7.

²⁸ See <http://www.nij.gov/Documents/guidelines-for-administration-and-management-of-nij-programs.pdf>

²⁹ Emphasis added.

NIJ management admits that it is not familiar with its own internal policy, a policy that prohibits even the inference of a subcontractor to grantees. As mentioned above, they are so unfamiliar with it, that they do not even realize that it's a part of NIJ's policy and not the OIG report that precipitated it. Given the on-line posting of the policy by NIJ and my personally emailing the policy to numerous OJP, NIJ, and ORE officials, there is no excuse for this lack of familiarity. Violations of this policy will be discussed in detail in Section IV below.

Conflict of interest guidance. It is also important to note that Appendix 1 to NIJ's 2010 Policy includes the following "Guidance on Conflict of Interests" for NIJ employees, developed by OJP's Office of General Counsel (OGC), and addressed to NIJ management, SSAs, GMs, and any others who work on NIJ grant awards:

The ethics rules require you to discharge your public duties in an impartial manner. **You must not give preferential treatment to any individual or group.** The Standards of Ethical Conduct not only prohibit your participation in matters which may affect your financial interests, but ***these rules also prohibit you from participating in matters that could reflect on your image of impartiality as a public official.*** Under this Standard of Conduct, ***you must disqualify yourself from a matter if someone with whom you have a personal or business relationship is a party or could benefit from your actions if the circumstances of your participation in this matter would cause a reasonable person to question whether you are being impartial.*** This prohibition includes, for example, actions that may affect a member of your household, a person with whom you have a business relationship, ***a close personal friend*** or relative, a fiancé or steady date, a former employer where you had worked within the last year, or an organization in which you are active. ***The test as to whether or not a violation has occurred is whether the circumstances of the situation would cause a reasonable person with knowledge of the relevant facts to question your impartiality in the matter. It is an "appearance" question.*** 5 C.F.R. § 2635.202

For grant and contract administrators like yourselves who must always appear impartial in the performance of your duties, this ethics rule requires that you ***avoid personal relationships with the staff and officials of your grantees or contractors. Do not cross the line from a professional relationship to a personal relationship with your grantees or contractors, which could compromise your appearance of impartiality and could, for example, give a basis to a disgruntled applicant for a grant or contract to protest the award on the grounds that you were biased.*** If you establish a personal relationship with a grantee or contractor, you should discuss this issue with your supervisor in order that your work assignment can be adjusted appropriately.

If you are confronted with any of these situations, then ***you should immediately recuse yourself from the matter.*** Recusal may be achieved by merely explaining to your

supervisor that you are unable to be involved in the matter. Written notice to your supervisor is not required, but is recommended.³⁰

However, contrary to this guidance from OJP's OGC, provided to NIJ over six (6) years ago and appended to the 2010 policy that is posted on NIJ's website to this day³¹, pg. 7 of the OJP Report states: "Many ORE SSAs have been in their roles for a number of years and have developed relationships with the grantee community. . . ." In keeping with this statement, one of the first acronyms I learned as a new employee of NIJ was "FOB," short for "Friends of Bernie." Specifically, when I asked why a certain grant had been funded due to all of the problems inherent in the design and lack of expertise of the staff, I was told that it was an "FOB grant," that it was funded due to the former (now retired) Senior SSA's personal relationships with the grantee's staff.

SSA personal relationships, pattern of preferential treatment, and lack of SSA recusal are discussed in more detail in Section IV below.

D. Whistleblower Protection Act of 1989, the Whistleblower Protection Enhancement Act of 2012, and Presidential Policy Directive 19

Federal whistleblower protection laws safeguard federal employees who report fraud, waste, and/or abuse from experiencing retaliation in the workplace. Among other things, the Whistleblower Protection Act of 1989 (WPA) allows federal employees to file complaints that they believe reasonably evidences a violation of a law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety.³² The WPA also provides for disciplinary action to be taken against federal supervisors who violate the Act and retaliate against whistleblowers, disciplinary action that may include termination and/or civil penalties. The Whistleblower Protection Enhancement Act of 2012 (WPEA) provides greater protection for federal whistleblowers and President's Obama's Policy Directive 19 confirmed this protection for those handling sensitive or confidential information. Moreover, the DOJ's OIG provides detailed information on-line regarding whistleblower protection and the penalties associated with retaliating against whistleblowers in federal service,³³ and OJP routinely requires mandatory employee training on these laws and protections as well.

However, despite these protections against retaliation and the periodic in-house training offered in OJP, whistleblower protection is frequently violated in NIJ. Moreover, Ms. Jain's report fails to address in whole or in part the pattern of whistleblower retaliation that has occurred and continues to occur in NIJ. Instead, the OJP Report alleges that the "NIJ

³⁰ See pgs. 15-17, <http://www.nij.gov/Documents/guidelines-for-administration-and-management-of-nij-programs.pdf> (emphasis added).

³¹ <http://www.nij.gov/Documents/guidelines-for-administration-and-management-of-nij-programs.pdf> (emphasis added).

³² See also <https://www.gpo.gov/fdsys/pkg/USCODE-2013-title5/pdf/USCODE-2013-title5-partIII-subpartA-chap23-sec2302.pdf>

³³ See <https://oig.justice.gov/hotline/whistleblower-protection.htm>

employees” she interviewed allege that I: “named them, their grants, and/or their actions in retaliation for complaining about her management of their grants or her overall job performance.”³⁴ Then, not surprisingly, on the same day OJP Report was released, on January 13, 2016, NIJ and ORE management met with SSAs to discuss the report and the possibility of “punishment” for the whistleblower named therein. This is just the most recent in a long line of retaliatory actions taken against me since I blew the whistle on wrongdoing with NIJ. These are discussed in more detail in Section IV below.

III. FAILURE TO ACCESS THE DOCUMENTATION WHICH PROVIDES CLEAR AND CONVINCING EVIDENCE OF THE VIOLATIONS

OJP’s electronic Grants Management System (GMS) contains an electronic grant file for each and every OJP grant. In short, as stated in the GMM, GMS is used to store “all grant documentation.”³⁵ This includes, but is not limited to, the official funding memo and funding table for each grant, all budget and application documents, and all relevant grantee communication, such as pre-award communication.

Fortunately, particularly for purposes of this inquiry, many of the SSAs included in Appendices 1-3 followed this dictate. As such, despite the claim in the OJP Report that “many documents needed to assess communication were unavailable,”³⁶ unless deleted out of the system by the one(s) who uploaded them, anyone with access to GMS can ascertain when the grant was awarded and locate the pre-award communication documents dated and/or uploaded prior to award. Only two (2) of the grants listed in Appendices 1-3 included pre-award communication that was sent to me directly by a grantee, after the award was made. I forwarded both of these cases of pre-award communication directly to NIJ Deputy Director Howard Spivak within hours of receiving them from the grantees.³⁷ All other pre-award communication documents referenced in Appendices 1-3 to this Response I accessed and downloaded via the GMS grant files and/or SSA calendars, and unless they have been deleted by the one who created/uploaded them, anyone else with access to those systems can do so as well.

In addition, the budget documents for each of the grants listed in Appendix 4 to this Response, also accessible in GMS, provide information regarding the projects’ incentives. The program narratives in GMS for a number of these projects include information on incentives and the NIJ management decisions, uploaded to GMS, are further documentation of this issue.

The documents supporting the addition of the grants to Appendix 5 to this Response are either in GMS (for example, the SSA on line 12 of Appendix 5 uploaded documents confirming

³⁴ OJP Report, pg. 3.

³⁵ GMM, Chapter 2.2.2.

³⁶ OJP Report, pg. 4.

³⁷ See Appendix 1, lines 67 & 72, and Appendix 2, lines 47 & 50.

nepotism to the GMS grant file and the budget and program narrative documents in GMS provide insight into this issue as well), or are accessible via SSA and/or NIJ management emails.

All of the documentation referred to and providing background to the grants listed in Appendices 1-5 has been forwarded to DOJ's OIG, including snapshots of the GMS face page showing the identities of the ones who uploaded those documents to GMS, and the date(s) they were uploaded. Section IV below further highlights some of these documents as well.

IV. FAILURE TO UNDERSTAND THE EGREGIOUSNESS OF THE VIOLATIONS COMMITTED WITHIN NIJ

The OJP Report fails to reflect the egregiousness of the violations committed within NIJ, violations that both pre- and post-date the 2014 and 2015 changes in NIJ management. In her cover letter to the OJP Report, Assistant Attorney General (AAG) Mason stated: "I have concluded that there is no violation of law, rule, or regulation; gross mismanagement; gross waste of funds, or abuse of authority." As outlined above, contrary to Ms. Mason's belief, numerous laws and policies have been violated and continue to be violated every day in NIJ. As discussed in-depth in this section, these violations are due to systemic issues found in NIJ, the same issues outlined in the 2009 OIG Report,³⁸ and continue to survive despite any and all changes in NIJ or ORE leadership. Moreover, these issues stem not only from a gross lack of oversight, but in some cases, NIJ and ORE management's encouragement of wrongdoing. Among other things, these systemic problems have manifested in widespread fraud, waste, and abuse in NIJ, specifically in the areas of pre-award communication, participant incentives, and post-award wrongdoing.

A. Pre-Award Communication

As outlined in Section II above, pre-award communication is not allowed in federal competitive grant award processes in that it violates fair and open competition by giving hand-picked applicants an unfair advantage. However, despite this firm dictate, included in OJP's own GMM, NIJ frequently provides preferential treatment to applicants of ORE's competitive research grants. Specifically, applicants are given unfair aid: prior to grant solicitation announcements, while the solicitation is open to application submissions, and/or after the solicitation has closed but prior to award decisions being made. In addition, some applicants appear to be afforded this preferential treatment more than others, with certain organizations more likely to be given and benefiting from this advantage than others. Finally, NIJ's ever-changing policy regarding the allowability of pre-award communication has failed to stem the tide of preferential treatment in ORE.

³⁸ See <https://oig.justice.gov/reports/OJP/a0938.pdf>

1. Pre-Solicitation Release Violations of Fair and Open Competition

In order to preserve fair and open competition, federal employees should not acknowledge or confirm the future release of a solicitation, much less give an applicant individual attention on their application prior to the solicitation’s release. However, this dictate is frequently violated in NIJ.

As seen in Appendix 1 to this Response, I found that on at least seven (7) occasions, SSAs in NIJ met with applicants prior to solicitations being released and open to the public. All seven (7) of these occasions happened under the current administration, prior to the 2015 solicitation season. Moreover, I expect this number to be far greater, in that I did not research the SSAs’ calendars for pre-solicitation meetings with applicants, with a high degree of scrutiny, prior to 2015, but I did save all of those calendars and have forwarded them to DOJ’s OIG for further follow-up.

One example of this early, unfair aid can be found in Appendix 1, line 13, and Appendix 3, line 4 (provided below). In this case, an SSA and Senior SSA in the Justice Systems Research Division (JSRD), neither of which was interviewed by Ms. Jain, met separately with an applicant months prior to a 2015 grant solicitation being made public. The 2015 Researcher-Practitioner Partnership (RPP) solicitation was open to application submissions January 14, 2015 to April 20, 2015. However, months prior to its release, on November 6 and 25, 2014, these SSAs met with an applicant in order to give her aid on her upcoming 2015 RPP application.

Appendix 1, Line 13 and Appendix 3, Line 4					
SSA Name(s)	Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	SSA Action(s)
E. Martin & K. Browning	n/a (Researcher-Practitioner Partnership (RPP) app)	Catholic University of America (Melissa Grady)	n/a	n/a	E. Martin met with Melissa Grady on 11/6/2014 and K. Browning met with her on 11/25/2014 to discuss upcoming 2015 RPP application (appointments on both SSAs' calendars & email also on K. Browning calendar)

In addition to its inclusion in Appendices 1 and 3, Appendices 9 and 10 attached to this Response include the actual appointments from the SSAs’ two (2) calendars, including an embedded email in Appendix 10, from the applicant, wherein she states:

[The SSA the applicant met with on November 6, 2014] suggested I write to you as I am planning on applying for the Partnership Grant in the spring. I was wondering if it might be possible to set up a time to talk with you about the grant a bit more and discuss my idea with you to make sure you feel it is a good fit.

In addition to giving her individual aid, by meeting with her prior to the solicitation’s release, the SSAs implicitly acknowledged the solicitation’s future release, giving this applicant at least two

(2) additional months to work on her application materials. This is a clear and egregious violation of fair and open competition.

However, despite this blatant violation, the OJP Report dismisses it as allowable. For example, the OJP Report states:

The calendar appointment provided by Davis in Enclosure C reflect this type of permitted contact – conversations with applicants who wanted to discuss comments from the peer review process, understand the NIJ process, and so on.³⁹

It is unclear how meeting with an applicant two (2) months prior to a solicitation's release, in order to give her individual aid on her upcoming application, could in any way be deemed "permitted contact."

The email confirms that it was clearly a pre-solicitation meeting, for the applicant to receive aid on her upcoming application. However, even if this were a post-solicitation meeting, for a losing applicant to get clarification on why their project was not awarded, it would still have been a violation of fair and open competition. A meeting such as that one would provide the applicant with guidance and coaching on how to revise and resubmit the application the following solicitation season, again confirming the release of a solicitation, giving the applicant an even longer head start on compiling application documents, and providing it with individual attention and aid.

All losing applicants receive peer review consensus comments after award decisions are made. That should be the only feedback those applicants need to receive, thereby preserving fair and open competition and removing the appearance of impropriety and bias. As it stands, contrary to AAG Mason's and Ms. Jain's personal beliefs, both of these types of meetings are clear violations of fair and open competition, and should not be allowed in any way, shape, or form in NIJ.

2. Violations of Fair and Open Competition while Solicitations Are Still Open

SSAs in ORE frequently meet with applicants while solicitations are still open to application submissions, in order to give them individual aid. In contrast, other OJP offices do not participate in this practice. For example, other OJP office divisions do not engage in individual meetings with applicants, rather they refer applicants back to the solicitation or develop a list of Frequently Asked Questions (FAQs), made publicly available to all applicants. In doing so, they eliminate the possibility of preferential treatment, any appearance of impropriety, and thereby preserve fair and open competition.

However, as seen in Appendices 1 and 3 to this Response, I documented that on at least twenty-six (26) occasions, twenty-four (24) of which occurred under the current ORE and NIJ management's tenure, during the 2015 solicitation season, ORE SSAs met with applicants and

³⁹ OJP Report, pg. 7.

provided them individual aid, while the grant solicitations were still open to the public. As with the pre-solicitation release violations, I actually expect this number to be far greater, in that I did not research the SSAs’ calendars for meetings with applicants while solicitations were open, with a high degree of scrutiny, prior to 2015, but again I saved those calendars and have already forwarded them to DOJ’s OIG for follow-up.

These meetings served to provide applicants with unfair advice and guidance, while also allowing them to personally, verbally and sometimes in writing, familiarize NIJ staff with their proposed research project prior to the application review process. One example, found in Appendix 1, line 36, and Appendix 3, line 16, (provided below) included an ORE SSA meeting with a future consultant on a 2015 grant project prior to the solicitation closing, in order to give him individual aid on the application. Not surprisingly, this application resulted in a 2015 grant award. Also of note, this same SSA revealed in an email to me in August 2015 that she had been in discussions with the project’s lead researcher (i.e., Principal Investigator (PI)), prior to award, to co-author a paper with her. Contrary to the OGC guidance included in NIJ’s 2010 Policy, and provided in Section II above, the SSA did not recuse herself from the 2015 application review and decision-making process; resulting in, at the least, an appearance of impropriety as well as a possible conflict of interest.

Appendix 1, Line 36 and Appendix 3, Line 16					
SSA Name(s)	Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	SSA Action(s)
D. Blachman-Demner	2015-R2-CX-0003 (Children Exposed to Violence (CEV) grant award)	Oregon Social Learning Center	1/1/2016; 12/31/2017	\$407,802	Pre-Award Communication (Solicitation Open, Solicitation Closed & Post-Peer Review) - SSA met with "applicant Ernie Jouriles" on 3/23/2015 (appt. listed on SSA's calendar); CEV Solicitation closed 4-8-2015; Ernie Jouriles is a paid consultant on this project's budget; 8-3-2015 SSA email to GM reveals pre-award, SSA discussed co-authoring paper with PI on 2013 grant (same PI as this grant); SSA did not remove herself from 2015 app review and awarding process

As with the pre-solicitation violations, meeting with an individual applicant while the solicitation is still open is a clear violation of fair and open competition. However, the OJP Report states that:

Although it is difficult to determine if any one exchange gave an applicant an advantage, this practice has essentially given some applicants at least the opportunity to seek more information than others.⁴⁰

⁴⁰ OJP Report, pg. 4.

It is unexplainable how receiving individual aid, prior to the closing of the solicitation, while the applicant can still revise their application documents, is not clear evidence of unfair advantage, and violation of fair and open competition, in each and every instance.

The above example included pre-award communication, rendered during the solicitation's open season, by an SSA with an apparent bias due to her personal and/or planned co-authoring relationship with the PI. There is no way of saying that the award was not made, at least in part, due to this violation of fair and open competition and the SSA's failure to recuse herself from the application review and decision-making process. The appearance of impropriety is there, a clear violation of the GMM dictate: "OJP staff members may not provide individual assistance to competitive applicants;"⁴¹ and, unfortunately, due to the flagrant violations on the part of NIJ, there is nothing that can be done to remove the taint from this award and the many others like it.

3. Post-Solicitation Closing and Post-Peer Review Violations of Fair and Open Competition

As egregious as the pre-solicitation and open solicitation violations are, by far the most blatant violations of fair and open competition in NIJ are found in ORE's frequent communication with applicants after solicitations have closed, when applicants are supposed to no longer be able to change/clarify/add to their applications, and after applications have been reviewed by external peer reviewers and feedback received from those reviewers, but prior to award decisions being made.

Scope of the problem. As seen in Appendix 1 to this Response, I documented at least eighty-one (81) active ORE grants, from 2010 to present, that were awarded after this type of pre-award communication took place. This involves a total of approximately \$62 million in federal grant funds. According to the OJP Report, NIJ and ORE management claim that this type of contact was only "encouraged and permitted under previous NIJ leadership."⁴² However, Appendix 3 to this Response lists grants that were awarded by NIJ during the current administration, nineteen (19) of which involved post-solicitation closing and post-peer review communication and preferential treatment. This includes over \$9.6 million in 2015 federal grant funds, or roughly 12% of the total grant funds awarded to ORE grants in the last fiscal year.⁴³

When applications are reviewed by peer reviewers, strengths and weaknesses are noted for each applicant. When only certain applicants are then contacted by NIJ staff, after peer review comments are completed, and given an opportunity to address the weaknesses or questions noted by the peer reviews, the competition is in no way fair and open. SSA correspondence frequently, clearly states that the questions are "based on an issue raised by the

⁴¹ GMM, Chapter 4.7 (emphasis added).

⁴² OJP Report, pg. 5.

⁴³ The number of grant awards tainted by this practice could actually be much higher, since some SSAs may have failed to upload the pre-award communication to GMS, in violation of the GMM.

peer review panel.”⁴⁴ The gratitude of many of the applicants, expressed in their response documents, to be given the opportunity to address those concerns, reflect the uncommon privilege this represents and are implicit acknowledgments of this advantage. For example, one such response document, which resulted in a nearly \$5 million grant award, stated: “We appreciate the opportunity to clarify and expand on several components of our proposal.”⁴⁵

Pre-award communication response document(s). There are page limits included in NIJ solicitations for many of the application materials applicants must submit. For example, the program narrative (also called a project narrative), wherein an applicant describes the proposed project and makes its case for funding, is usually limited to no more than 30 pages. However, those select few applicants who are contacted by NIJ staff to answer “clarifying questions,” after peer review is completed, are given an unlimited number of pages in which to respond. As such, some response documents uploaded to and accessible in GMS even exceed the program narrative in length.

For example, as seen in Appendix 1, line 35, and Appendix 2, line 20, when afforded the opportunity, one (1) applicant provided a thirty-four (34) page response document, including 12 pages of narrative, emails between the applicant and SSA, and new budget documents. There was even one 2015 applicant that inquired about the length and format of the response, and when only told by an SSA that the response “does not need to be excessive,” the applicant submitted a three (3) page, single-spaced response document to a single question posed by the SSA.⁴⁶

It is also not unusual to find charts, tables, and bibliographies in response documents, adding to the appearance of these documents being akin to a second program narrative. In addition to the response documents themselves, these select applicants are frequently allowed and/or asked to submit completely new packets of revised application materials: new program narratives, revised budgets, new abstract, etc.; forwarding those new documents to an SSA who then uploads them to GMS. As noted in Section II above, this violates the GMM prohibition on late submissions,⁴⁷ in addition to allowing applicants to unfairly benefit from peer review feedback, effectively giving these select few an unfair “do over” on their applications.

Funding documents. Finally, any doubt as to whether this practice has given applicants an unfair advantage can be eliminated by examining funding documents for many of the grants. On page 3, the OJP Report acknowledge that “some types of pre-award communication from SSAs *could* create – and *at times* have created - an unfair competitive advantage for some applicants and grantees” (emphasis added), but goes on to state that:

Many of the 72 specific examples of pre- and post-award communication provided by the whistleblower, however, could not be substantiated as giving such an advantage or could not be evaluated.

⁴⁴ See, for e.g., Appendix 1, line 70, and Appendix 3, line 23.

⁴⁵ See Appendix 1, line 5, and Appendix 2, line 4.

⁴⁶ See Appendix 1, line 7, and Appendix 3, line 2.

⁴⁷ See GMM, Chapter 5.

This statement is surprising since many NIJ grant funding documents, particularly for 2015 grant awards, include references to the pre-award communication as at least part of the reason why the grant projects were funded.

For example, as seen in Appendix 1, line 14, and Appendix 3, line 5, to this Response (provided below), one 2015 grantee benefited from multiple SSAs' aid while the solicitation was open and was then allowed to submit an additional eight (8) page response document post-peer review, a document that included multiple tables as well as a bibliography. The NIJ Director then signed a funding memo with a Director-initialed funding table for this grant attached, with the following comments included:



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Appendix 1, Line 14 and Appendix 3, Line 5					
SSA Name(s)	Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	SSA Action(s)
D. Blachman-Demner, N. Frederique, & E. Martin	2015-R2-CX-0014 (Translational Criminology grant award)	Child Trends, Inc.	1/1/2016; 12/31/2017	\$200,000	Pre-Award Communication (Solicitation Open, Solicitation Closed & Post-Peer Review) - N. Frederique & E. Martin met with applicant on 3/26/2015 and D. Blachman-Demner met with applicant on 3/30/2015 (Translational Crim. Solicitation closed 4/9/2015) - appts. listed on all 3 SSAs' calendars; SSA (D. Blachman-Demner) sent questions to applicant on 6-12-2015 (appears to be 1 of only 2 applicants to be contacted from Translational Solicitation, both funded), Rec'd 8 page response doc from applicant on 6-15-2015, Uploaded to GMS on 6-22-2015; Funding Memo Routing Slip dated 7-13-2015; Funding Table lists applicant's responses as one reason why application was funded

This grant was ranked second by peer reviewers and four (4) awards were funded from this solicitation. The first and second ranked applicants were contacted pre-award and both were awarded. However, as recently commented upon in the press,⁴⁹ there are also many examples where higher ranked applications coming out of peer review were not funded, in favor of funding

⁴⁸ Funding Memo for 2015 Translational Criminology Solicitation, pg. 12 (emphasis added).

⁴⁹ See, for e.g., <http://youthtoday.org/2015/06/transparent-nij-grants-process-withholds-information-from-public/>

a lower ranked one that was given the opportunity to bolster their application pre- and/or post-peer review.

For example, in Appendix 1, line 30, and Appendix 2, line 18, to this Response (provided below) an applicant benefited from aid while the solicitation was open, the proposed consultant meeting with an SSA prior to the solicitation closing. The applicant was then allowed to forward a required staff list to another SSA after the solicitation was closed, which that SSA uploaded to GMS prior to peer review.⁵⁰ After peer review, the SSA contacted the applicant organization again and allowed it to submit revised budget and SF424 documents.

Appendix 1, Line 30 and Appendix 2, Line 18					
SSA Name(s)	Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	SSA Action(s)
C. Mulford (D. Blachman-Demner & B. Backes Pre-Award)	2014-VA-CX-0065	National Opinion Research Center at the University of Chicago (NORC)	1/1/2015; 12/31/2017	\$998,989 (\$351,825 orig., \$648,164 supp.)	Pre-Award Communication (Solicitation Open, Solicitation Closed & Pre- and Post-Peer Review) - SSA (Backes) met with Consultant (P. Giordano) prior to solicitation closing (Meeting on 3-24-2014, solicitation closed 4-25-2014); SSA (Blachman-Demner) requested and uploaded 3 docs pre-award (required staff list uploaded 5-8-2014; revised budget and SF424 uploaded 7-30-2014); Other Issues - App ranked lower than 5 other apps not funded (including one which said it would have been funded if funds were available); See Line 7 of Post-Award Dir. Spreadsheet (i.e., 2015 supplement award offered and awarded on this grant even though less than \$5k obligated as of 6/30/2015)

This application was ranked lower than five (5) other grants which were not funded. The notes on the funding table, initialed by the NIJ Director, for at least one (1) of those other applications stated that it would have been funded if funds were available. This is clearly preferential treatment, involving multiple SSAs and violations of fair and open competition at all levels of NIJ and ORE: from SSA up to and including the NIJ Director.

NIJ consistently operates contrary to OGC advice. OJP’s own Office of General Counsel (OGC) has long since acknowledged the threat NIJ’s pre-award communication, specifically the post-peer review “clarifying questions” process, poses to fair and open competition. This is a view that was expressed most recently by employees of OGC in the OJP Report. Namely, on pg. 8 of the OJP Report: “As it stands, OGC has expressed serious concerns about NIJ’s ability to preserve an open and fair competition while issuing clarifying questions.” However, this is not a new stance by OGC. It has been communicated internally to NIJ before, and yet NIJ continues to reject OGC’s advice, as it has the guidance OGC provided NIJ over six

⁵⁰ See <https://www.ncjrs.gov/pdffiles1/nij/SL001088.pdf>, pgs. 13 & 26.

(6) years ago, appended to the 2010 NIJ Policy, regarding conflict of interest, appearance of impropriety, and recusal (See Section II above).

For its part, OGC knows that violations to federal rules and regulations, such as those discussed in this Response, are ongoing in NIJ and it has not been proactive in seeing them eliminated. In addition, as discussed later in this Response, OGC stands by and fails to intervene when whistleblower retaliation occurs in NIJ, and at times appears to be an active participant in that retaliation. OGC is frequently copied on violations of NIJ's 2010 Policy, not speaking-up and/or trying to put a stop to those violations when they occur.

4. NIJ Favorites

Another important issue that is illustrated in Appendix 1 to this Response is the fact that some applicant organizations appear to be afforded this unfair advantage more than others. For example, the following grantees were all provided pre-award aid, and engaged in NIJ-initiated pre-award communication, on the following number of projects (each resulting in award):

- Urban Institute – six (6) grants
- Vera Institute of Justice – six (6) grants
- National Opinion Research Center at the University of Chicago (NORC) – three (3) grants
- RAND – three (3) grants
- University of New Hampshire – three (3) grants

This is particularly interesting, since one of the most favored organizations, Urban Institute, played a starring role in the 2009 OIG Report. Namely, DOJ's OIG discovered and documented a clear financial conflict of interest in NIJ, as a Deputy Director at the time was involved in awarding grants to Urban Institute while his wife was employed by the organization.⁵¹ While that Deputy Director retired from NIJ in 2011, it's interesting to note that the practice of favoring Urban Institute appears to be ongoing. Not only was the organization given the opportunity to address peer reviewer concerns on six (6) of their active NIJ grants,⁵² but for two (2) of those grants, the organization was allowed to submit an entirely new, revised program narrative⁵³ and revised research plan,⁵⁴ post-peer review. In addition, on a seventh Urban Institute grant (as seen on Appendix 5, line 13), after making no progress for over two (2) years, instead of terminating the grant as was warranted, Urban Institute was allowed to completely reorganize the project, given an additional three (3) years for what was originally a two (2) year project, and allowed to revise its budget entirely in order to line-up with the new project's scope.

⁵¹ See pg. 17, <https://oig.justice.gov/reports/OJP/a0938.pdf>

⁵² See Appendix 1, lines 98-103, and Appendix 2, lines 60-65.

⁵³ See Appendix 1, line 100, and Appendix 2, line 62.

⁵⁴ See Appendix 1, line 101, and Appendix 2, line 63.

For the NORC grants, three (3) of the grants involved pre-award communication,⁵⁵ including one with multiple instances of post-peer review contact, some of which was at the direction of the NIJ Director (referred to on pg. 6 of the OJP Report).⁵⁶ Moreover, as seen in the table on pg. 26 of this Response, a 2014 NORC grant benefited from multiple types of pre-award communication (while the solicitation was open, after the solicitation was closed but prior to peer review, and post-peer review).⁵⁷ Then, under the current NIJ and ORE administration, that grant went on to be awarded a 2015 supplement (increasing the award amount from \$351,825 to \$998,989)⁵⁸ even though the grantee had obligated less than \$5,000 of the original award when the supplement was offered and awarded.⁵⁹ Adding to the appearance of impropriety and favoritism is the fact that NORC is the former employer of ORE Director Phyllis Newton, while another favored organization, RAND, is the former employer of NIJ Deputy Director and Acting NIJ Director Greg Ridgeway.⁶⁰

5. NIJ's Policy on Pre-Award Communication

As seen in the OJP Report, NIJ adamantly defends its practice of pre-award communication. It dismisses pre-solicitation communication as logistical or process-oriented in nature only, describing it as simply “customer service,”⁶¹ ensuring that it will continue to occur. It dismisses the individual aid rendered while solicitations are open as “administrative” only,⁶² and even with the proposed use of an outside contractor and FAQs for the 2016 solicitation cycle, NIJ still maintains a process that enables SSAs to provide individual aid, this time merely doing so through a middlemen, whether it be the ORE Director, subcontractor, and/or some other individual.⁶³

Similarly, many within NIJ maintain that the practice of “clarifying questions” is “an integral part of an SSA’s role”⁶⁴ and work hard to see this practice continue. Not surprisingly, after gaining the attention of OSC, DOJ’s OIG, U.S. Senate Judiciary Committee, and others, over the past year, NIJ has changed its “policy” on clarifying questions multiple times. At first, ORE and NIJ staunchly defended the policy, despite OGC guidance to the contrary, and the input of other OJP offices that do not engage in the practice, allowing it to continue unfettered and at times even encouraging or ordering the practice to occur.⁶⁵ Then, as reflected in the OJP Report, NIJ implemented a policy similar to the one described above (for communication while

⁵⁵ See Appendix 1, lines 29-32; Appendix 2, lines 17-18; and Appendix 3, line 13.

⁵⁶ See Appendix 1, line 31, and Appendix 3, line 13.

⁵⁷ See Appendix 1, line 30, and Appendix 2, line 18.

⁵⁸ See Appendix 1, line 30; Appendix 2, line 18; and Appendix 5, line 7.

⁵⁹ Amount obligated as of 12-31-2015 was \$151,050 – still far below the \$351,825 originally awarded on the grant.

⁶⁰ See also, http://www.philly.com/philly/education/Feds_3_million_grant_to_Penn_raises_questions_about_transparency.html

⁶¹ See OJP Report, pgs. 4 & 7.

⁶² See OJP Report, pg. 5.

⁶³ See OJP Report, pg. 5.

⁶⁴ See OJP Report, pg. 6.

⁶⁵ See OJP Report, pg. 6.

solicitations are open), wherein the communication continued with the involvement of the ORE Director, NIJ Deputy Director, and/or NIJ Director acting as overseers and/or middlemen.⁶⁶

Most recently, NIJ has stated that it is eliminating the practice of “clarifying questions” entirely. However, it is unlikely that this preferential treatment will actually go away, especially with the insistence of many SSAs and/or management that it should continue (some having even expressed this staunch refusal to stop the practice in their interviews with Ms. Jain). Rather, it is more likely that NIJ employees will merely be more covert in the practice, providing aid verbally and not in writing, but continuing to provide applicants, especially their favorites, an unfair advantage. This new policy also does nothing to address the problems still inherent in pre-award communication that occurs prior to solicitation release and/or while solicitations are still open to the public. Thus, unless and until action is taken to address pre-award communication in all of its forms, NIJ will continue to violate fair and open competition.

B. Participant Incentives

As described in Section II above, participant incentives are gifts, given to entice individuals to participate in a research project, and are unallowable federally reimbursed expenses under various federal rules and regulations. In contrast, participant support costs, to reimburse individuals for actual expenses associated with participating in the project, are allowable, as long as those expenses are reasonable and attributable to actual participant expenses.

The OJP Report correctly states: “Contrary to Davis’s claims, none of the reviewed correspondence contained a clear recommendation by a GM to Spivak to deny approval.”⁶⁷ I cannot speak for other GMs, but I actually never claimed to have recommended the approval or disapproval of incentives to NIJ management, since under the federal rules and regulations they are all unallowable. My recommendation has always been to disallow all incentives, in keeping with OJP’s financial office⁶⁸ guidance, OJP Financial Guide, and the CFRs. However, current NIJ and ORE management decided early on to develop their own policy, directly in conflict to the many federal rules and regulations that prohibit incentives.

Even though the OJP Report states that “at the time of the whistleblower allegations, NIJ had no incentives approval process,”⁶⁹ this “policy” was actually developed and implemented for FY2014 grants (as confirmed in multiple internal emails, as GMs were told to wait to submit FY2014 grant incentives for “approval” after the policy was developed and posted on-line). This same policy was then applied to FY2015 grants as well. As stated on page 12 of the OJP Report, the policy included: “five questions that must be answered by all applicants who seek funding for a study that involves incentives.” Again, this was NIJ creating their own policy, to try and

⁶⁶ See OJP Report, pg. 6.

⁶⁷ OJP Report, pg. 12.

⁶⁸ OJP’s Office of the Chief Financial Officer (OCFO).

⁶⁹ OJP Report, pg. 3.

justify approving expenses that are explicitly unallowable under the controlling federal rules and regulations.

Thus, the only avenue open to me was to: document those approvals, develop Appendix 4 which tracks this waste on my grants, and forward those documents to DOJ’s OIG for follow-up. However, in some particularly egregious cases, I pointed out the egregiousness in emails to NIJ management, primarily for documentary purposes since I was fairly confident that it was not going to affect the “approval” of the incentives by NIJ management.

For example, when one (1) grantee explicitly stated in its budget documents that it had chosen gift cards as the method of payment for incentives in order to circumvent state jurisdictional victim restitution policies, I pointed it out to NIJ management via multiple internal emails. Specifically, the grantee organization wanted parolee participants to get to keep the incentives/gift cards themselves and not have to turn them over to local courts in order to fulfill the parolees’ responsibility to their crime victims first, as the state’s jurisdictional policies required (see Appendix 4, Line 28, provided below).⁷⁰

Appendix 4, Line 28					
Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	Total Incentives	Incentive Details
2014-R2-CX-0009	University of Texas at El Paso (UTEP)	1/1/2015; 12/31/2017	\$363,848	\$34,666	Gift Cards to Parolees (gift cards chosen to circumvent state law/parolees’ victim restitution requirement); amount of Gift Cards = \$75 each (\$20, \$25, \$30 gift cards for each parolee, interviews at 3 points in time) - Approved in full by NIJ mgmt. on 1/14/2015 & 5/26/2015

The grantee clearly explained the plan to circumvent the parolees’ victim restitution requirements in its budget documents as well as in an email to me on January 14, 2015. The following is an excerpt from that email (forwarded to NIJ Deputy Director Howard Spivak that same day):

Gift cards are the method of choice because the jurisdictions where data collection will occur have policies that do not allow for payment in cash to our participants (offenders supervised in the community). These jurisdictions require offender participants to surrender any wages or cash as restitution for their crimes. This is why we proposed gift cards instead of cash, as the incentive value associated with cash disappears for participants who are not allowed to earn cash while on community supervision.

NIJ management’s, specifically Deputy Director Howard Spivak’s, only response to my emails was to direct me to have the grantee remove the language explaining the planned circumvention of state jurisdictional policy from their grant documents, but to keep the form of

⁷⁰ See also, Appendix 1, line 72, and Appendix 2, line 50.

payment as gift cards, keeping the actual plan in place. Specifically, here is the email exchange between Mr. Spivak and myself concerning this grant, which occurred on the morning of January 14, 2015:

- 10:07 A.M., Mr. Spivak wrote: “their statement that this is being done to avoid the requirements around victim restitution is concerning and should be removed from their descriptions related to the incentive. It makes it sound like they are helping people skirt the law and NIJ is not comfortable with that.”
- 10:10 A.M., I wrote: “I think it’s clear – they are helping them skirt the law. Just to be clear – as long as they remove that language from their budget and other documents, we’re okay with them using grant money this way? As a broader follow-up, you are okay with “incentives” (not stipends) on this grant, in the graduated amounts they have included, being distributed via gift cards?”
- 10:51 A.M., Mr. Spivak wrote: “Yes to both questions. They need to remove the language from their budget and other documents as there is no need for this to be said.”

The objectionable language was in the grant’s budget documents when the grant was awarded. However, again, by its own admission in the OJP Report, NIJ management does not review budget documents for unallowable costs, as required by the GMM, prior to an award being made.⁷¹ Moreover, as seen in the above email exchange, even if such a review had taken place, NIJ management likely would have awarded the grant anyway, at the most asking the grantee to remove the language as they requested on January 14, 2015, but otherwise approving the incentive plan in full. In acting as it did, NIJ is now complicit in the scheme to thwart victim restitution laws, enabling parolees to pocket federal tax dollars in the form of an unallowable gift card incentive, rather than pay their crime victims court-ordered restitution, orders designed to help make those victims whole.

In the OJP Report, Mr. Jain states that: “Spivak readily acknowledges that he would not approve this incentive again.”⁷² However, when given the opportunity, over and over again, to deny the incentives, and possibly even terminate the grant once the grantee’s plan was brought to his and management’s attention (something that should have been discovered pre-award), Mr. Spivak approved the incentives as is; merely asking for the objectionable language to be removed. This was presumably only aimed at allowing Mr. Spivak and NIJ to have plausible deniability of the planned circumvention of state law, since the actual scheme to thwart victim restitution rules, to this day, remains unchanged. Again, to date, this grantee is using federal tax dollars to pay parolees to participate in its research project; continuing to distribute the payments via gift cards so that the parolees can benefit from the gift themselves.

⁷¹ See OJP Report, pgs. 9 and 11.

⁷² OJP Report, pg. 11.

As this example illustrates, NIJ management appears eager to approve incentives on grants, so much so that they regularly declare incentives to be participant support costs, even when the grantee and/or grant documents explicitly contradict this designation. For example, a 2015 grant with \$17,800 in incentives for focus groups, interviews, and surveys to youth 10-17 years old,⁷³ was declared by NIJ management to involve stipends and not incentives; stating that the parents' time and childcare expenses warranted the \$30 gift cards. However, as the grantee tried to comply with management's new dictate, it ended-up contradicting its other grant documents. Namely, the grant's program narrative and budget clearly stated that the data collectors were going to travel to the participants, not the other way around – eliminating the need for the participants to incur travel or childcare expenses. Thus, despite NIJ management's attempts to construe the payments as "stipends" or other allowable participant support costs in this grant, they were in fact incentives, gifts intended to entice recruitment and ensure retention of participants. When designating them as stipends was unsuccessful, NIJ Deputy Director Howard Spivak approved these expenses in full, as incentives, on December 7, 2015.

This is a common outcome on ORE grants with incentives: Mr. Spivak tries to label them as "stipends" with little to no scrutiny given as to the amount of the payment and the actual expense it is supposed to be reimbursing; and if not successful, Mr. Spivak approves the incentive expense as is anyway. In fact I know of only one (1) grant where proposed incentives were not approved in close keeping with the original plan.⁷⁴ In that case, then Acting Director Bill Sabol directed Mr. Spivak to deny the incentives as proposed on that grant. This led the grantee to revise the incentive plan, and have the revised plan (which included using federal funds for gift cards for college students after they played a simple video game) approved in full by Mr. Spivak after Mr. Sabol was no longer Acting Director of NIJ.

Other egregious examples of incentives on NIJ grants include a 2014 human trafficking grant, in which anonymous prostitutes are to this day receiving \$14,000 in cash payments for participating in interviews, and an additional \$2,800 in cash payments for referring other prostitute participants to the project.⁷⁵ Even if reasonableness was the test, it is questionable as to whether the average person on the street would view using taxpayer dollars for prostitute payments is in any way reasonable. However, as stated earlier, the reasonableness of the incentive is irrelevant; they are considered unallowable gifts under federal rules and regulations, regardless of their "reasonableness."

That being said, it is interesting to note that even SSAs question whether the use of incentives is evidence-based. For example, on pg. 13 of the OJP Report: "Some SSAs expressed doubt that Spivak's standards, particularly on vulnerable populations, are scientifically-based." It may surprise Ms. Jain to know that this is a doubt that Mr. Spivak himself has expressed on internal emails. Other issues include possible waste and misuse of gift

⁷³ See Appendix 4, line 11.

⁷⁴ See Appendix 4, line 25.

⁷⁵ See Appendix 4, line 7.

cards that are electronically issued⁷⁶ and failure of grantees to monitor, safeguard, and/or account for gift cards or incentives on their project.⁷⁷ As such, as with the pre-award communication documentation, I have forwarded documents for each of the grants listed in Appendix 4, to DOJ's OIG for follow-up and greater scrutiny.

C. Post-Award Wrongdoing

As seen in Appendix 5 to this Response, SSA wrongdoing is not limited to pre-award activities in NIJ. Namely, as was the case when the OIG performed its 2005-2007 audit of NIJ grants and contracts, employees of NIJ are continuing to involve themselves in the subcontractor process on grants. In addition, NIJ frequently supplements grants of their favorite grantee organizations, grants wherein the original award amount is not in any way near depletion nor the original activities near completion, and approves other allowable activities, such as nepotism on grant awards.

Subcontract Direction and Involvement. On page 7 of the OJP Report is a brief reference to a grant that encompasses the issues discussed in Section IV (A) and (B) above as well as post-award wrongdoing, and appears on Appendices 1, 2, 3, and 4 (provided below). Namely, a 2014 grant made to American Indian Development Associates, LLC (AIDA), includes SSA conflict of interest, extensive SSA pre-award communication, incentives, awarding of a supplement prior to original award being anywhere close to depletion, and multiple SSA involvement in the grant subcontractor selection process.

Appendix 1, Line 3, and Appendix 2, Line 3					
SSA Name(s)	Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	SSA Action(s)
C. Crossland	2014-MU-MU-K001	American Indian Development Associates, LLC (AIDA)	1/1/2015; 9/30/2016	\$958,045 (\$421,104 orig., \$536,941 Supp.)	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 9 documents including 8 page Q&A doc; COI (Co-Presenters); Post-Award - Subcontractor Direction (along with D. Blachman-Demner)
Appendix 4, Line 1					
Grant Number	Grantee Name	Grant Start Date & End Date	Grant Amount	Total Incentives	Incentive Details
2014-MU-MU-K001	American Indian Development Associates, LLC (AIDA)	1/1/2015; 9/30/2016	\$958,045 (\$421,104 orig., \$536,941 Supp.)	\$9,500	\$20 x 375 youth (12-20 year olds); \$40 x 50 youth (12-20 year olds) - Approved in full by NIJ mgmt. on 6/15/2015

⁷⁶ See OJP Report, pg. 12.

⁷⁷ See Appendix 4, line 22.

Appendix 5, Line 1					
SSA Name(s)	Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	SSA Action(s)
C. Crossland	2014-MU-MU-K001	American Indian Development Associates, LLC (AIDA)	1/1/2015; 9/30/2016	\$958,045 (\$421,104 orig., \$536,941 Supp.)	Post-Award - SSA COI and Subcontractor Involvement - SSA (Crossland) co-presented with PI in Dec 2014, submitting conference presentation materials in July 2014, & did not recuse herself from app review and grant decision-making process; SSA directed subcontractor replacement (along with D. Blachman-Demner), GM pointed-out violations of 2010 NIJ Policy multiple times to NIJ and ORE management, and was told it was allowed since grant is a cooperative agreement; 2015 Supplement Award - supplement offered to grantee even though less than \$90k of original award obligated by 6/30/2015

A Senior SSA and the grant’s Principal Investigator (PI) co-presented at the 14th Annual National Indian Nations Conference in December 10, 2014, submitting the conference presentation materials in July 2014. Not recusing herself from the award process, also in July 2014, the Senior SSA sent the PI nineteen (19) questions, one of which asked about including incentives for youth in the pilot phase of the project (not previously planned by the PI). This resulted in an eight (8) page, single-spaced response document, complete with tables, and revised budget documents that, not surprisingly, added incentives for youth into the pilot phase of the project. The Senior SSA then uploaded the response document, along with eight (8) other application documents, all pre-award (on July 29, 2014) and recommended the funding of the grant to then Acting Director Greg Ridgeway. The funding memo was signed the same day the Senior SSA uploaded the pre-award documents to GMS. It’s also interesting to note that one of the original subcontractors on this grant project was the same subcontractor that offered an all-expense paid trip to another SSA in April 2015 (see pgs. 8-9 above).

Then, prior to the start date of the grant, at the December 2014 conference, the Senior SSA and a fellow SSA provided a list of possible subcontractors for the grant to the PI. As seen in Appendix 12 to this Response, the Senior SSA stated:

I co-presented with the PI this past December at a conference. At the meeting, she reported the possible withdraw of the subgrantees and asked for recommendations for possible replacements. [Another SSA] and ***I have provided her a list of possible researchers she may wish to reach out to work on the study.*** We do believe that she can find replacements. ***The PI also understands that any staff would have to be approved by the funder.***⁷⁸

⁷⁸ Emphasis added.

As discussed in Section II above, the NIJ 2010 Policy states that:

Effective immediately, no NIJ staff member may *require or infer* that a grantee should use a specific subgrantee to perform work related to a grant without compelling, contemporaneously documented reasons and specific prior approval of the NIJ Director. All such documentation shall be retained in the Grants Management System (GMS).⁷⁹

There was no prior approval of the NIJ Director (Acting Director Bill Sabol at the time) and no such documentation in GMS. When I emailed the ORE Director Seri Irazola and Mr. Sabol about the violation of NIJ's 2010 Policy on February 3, 2015, attaching the policy to that email, I was informed by Ms. Irazola that:

We checked with OGC and OAAM⁸⁰, and there is no violation here. This is a cooperative agreement, and because NIJ is a partner in the research, it was permissible for the Analyst to provide a list of experts for the PI to consider in replacing the subawardees who left the project.⁸¹

This statement by Ms. Irazola evidences a number of problems, including: 1) lack of understanding of rules and regulations for cooperative agreements (same as grants in the area of pre-award communication, incentives, and NIJ subcontractor involvement), and 2) failure to read the 2009 OIG Report, and the 2010 NIJ Policy developed in response to that report.

Cooperative agreements are a type of grant award, and as discussed in Section II above they are subjected to the same rules and regulations as other grants, with more stringent requirements in some areas, for example conference cost approvals.⁸² Contrary to Ms. Irazola's belief, cooperative agreements are not a "partnership" between NIJ and the grantee, any more than any other grant is considered a partnership between the two; NIJ is simply the funder, the cooperative agreement grantee the recipient.

Moreover, the 2009 OIG Report includes a detailed review of a cooperative agreement recipient. Among other things, the OIG's audit of a 2004 National Forensic Sciences Technology Center (NFSTC) cooperative agreement found that NIJ had directed the awarding of a subcontract on the award.⁸³ As a result of its review of the NFSTC cooperative agreement, one (1) of the OIG's recommended resolutions was to: "Require the NIJ to document the basis for requiring grantees to use specific sub-grantees to perform work related to the grants."⁸⁴

NIJ went above and beyond this advice when it drafted its 2010 policy, in response to the 2009 OIG Report; again, a policy that was drafted in part to address subcontract selection direction on an NIJ cooperative agreement. Namely, the policy requires NIJ staff to not even

⁷⁹ <http://www.nij.gov/Documents/guidelines-for-administration-and-management-of-nij-programs.pdf> (emphasis added).

⁸⁰ OAAM stands for OJP's Office of Audit, Assessment, and Management.

⁸¹ See Appendix 13 for Ms. Irazola's email and the list of OJP and NIJ employees copied on it.

⁸² See GMM, Chapter 8, and OJP Financial Guide, Sections 3.6 and 3.10.

⁸³ See <https://oig.justice.gov/reports/OJP/a0938.pdf>, pgs. xvii – xx and 50-56.

⁸⁴ See <https://oig.justice.gov/reports/OJP/a0938.pdf>, pgs. xvii – xx, 50-56, and 59.

“infer” that a grantee should use a specific subcontractor. In the case of a compelling reason to provide a grantee or cooperative agreement recipient direction as to subcontractor selection, then the NIJ employee must first present that rationale, in writing, to the NIJ Director, and gain his/her approval prior to contacting the grantee, uploading all documentation to GMS. None of this was followed in the AIDA cooperative agreement; wherein two (2) SSAs provided a list of possible subcontractors to a grantee, at the least inferring that the grantee should choose to subcontract with one or more of the organizations included on that list, and clearly violating NIJ’s own policy against this very action.

I and other GMs have tried, multiple times, to correct NIJ and ORE management’s view that cooperative agreements are an exception to the rules governing grants. However, our guidance has consistently gone unheeded. Thus, NIJ has worked to increase the number of cooperative agreements it has made in recent years, falsely believing that it will insulate the agency from being held accountable for wrongdoing on those awards. The OJP Report also reflects this false view. For example, despite the clear, multiple violations on the AIDA grant, the OJP Report stated: “neither of these examples [AIDA and another grant] appears to violate NIJ policy.”⁸⁵ As with Ms. Irazola’s email, this evidences a lack of understanding with the policies, rules and regulations, surrounding subcontractor involvement, falsely believing that cooperative agreements are an exception to the rules.

Not surprisingly, this is not the only grant award with violations of this sort. On another grant, an SSA promised a PI that he could take a grant with him or become a subcontractor or consultant on a grant after he left the grantee organization’s employ.⁸⁶ On the Police Foundation grant, referenced in the OJP Report,⁸⁷ in a meeting between an SSA, ORE Director Seri Irazola, and I, the SSA stated that he was meeting regularly, one-on-one with the grant’s subcontractor, in order to direct it in the areas of data collection. Simultaneous with my discussion with the SSA and Ms. Irazola, I wrote the following notes:

[SSA] stated to [Davis] that he had recently had an "in-depth" and "lengthy" discussion with the Temple subcontractor/PI about "substantive" issues on the grant. When asked by [Davis] whether the grantee organization was a part of that communication, [SSA] said "no." [Davis] then informed [the SSA] of the requirement to stay "arms' length" with subcontractors, and of the need to go through the grantee organization for all communications with the subcontractor. [The SSA] stated that he was not aware of that requirement.

Those notes were forwarded to the SSA and Ms. Irazola within hours of the meeting and uploaded to the GMS grant file that same day as well. I was then contacted by Ms. Irazola and ordered to remove the notes from GMS. Since the GMM requires me to upload all pertinent information to the grant file, holding me as the GM responsible for what happens on a grant, Ms.

⁸⁵ OJP Report, pg. 7.

⁸⁶ See Appendix 5, line 9.

⁸⁷ See pg. 7.

Irazola was ordering me to act contrary to the GMM and ordering me to not document my discussion and advice to the SSA in the audit trail. Given this untenable situation, I reached-out to NIJ Deputy Director Howard Spivak to seek his help, but he refused to intervene. Under threat of retaliation from Ms. Irazola, I then removed the notes document from the main GMS file, but added them into the notes section of the grant file, with a note about Ms. Irazola's order to remove them as well. As with all other information in GMS, the notes from the meeting and the ones concerning Ms. Irazola's actions are easily accessible in GMS.

Other Grant Wrongdoing. Other items of note on NIJ grants include the awarding of supplements on select, favored grants where the original grant funds are not expended, nor the original award activities near completion;⁸⁸ an SSA that approved nepotism on a grant to a university, approving the PI's father receiving approximately \$54,000 in grant funds;⁸⁹ and an SSA falsely recording the peer review scores on funding tables. For example, on a grant solicitation with only two (2) applicants, Advocates for Human Potential, Inc. (AHP), and another, both of which scored closely together by external peer reviewers, the one who scored slightly higher, AHP, was contacted pre-award and afforded an opportunity to further strengthen its application. The other applicant was not given this advantage. The peer review scores were then recorded incorrectly on the funding table, with AHP's score being inflated and the other's being deflated. Not surprisingly, AHP was awarded the grant.⁹⁰

As with all other items noted in this Response, information regarding these violations was included on the spreadsheets attached to OSC June 2015 referral letter and my updated spreadsheets, provided to Ms. Jain in August 2015. Information regarding these grants is easily accessible in GMS, and was forwarded to DOJ's OIG for follow-up.

D. Violations of Whistleblower Protection Laws

As stated in Section II above, federal whistleblowers are afforded considerable protection under the law. I detail the violations I have experienced here, as it is further evidence of NIJ and ORE management's direct knowledge of and participation in trying to cover-up the violations I have listed above.

In December 2013, at my request, my job title was converted from SSA to GM. As a licensed attorney, familiar with and skilled at working within a legal framework as is found in the field of federal grants management, I requested the conversion in November 2012, when NIJ's reorganization was first announced.⁹¹ While I also hold Master's and doctorate degrees, allowing me to do the new job of the SSAs, I prefer the daily interaction with grantees, helping

⁸⁸ See Appendix 5, lines 1 and 5-7.

⁸⁹ See Appendix 5, line 12. Also of note: while the SSA explicitly approved this use of grant funds post-award, the PI's father was notably and prominently included in the grant documents at the time it was awarded. However, with the lack of rigorous budget review pre-award, the grant was awarded with this expense apparently not being questioned. The grant is now undergoing a financial audit.

⁹⁰ See Appendix 1, line 1, and Appendix 2, line 1.

⁹¹ I have been a full-time remote worker since July 2012; the second NIJ employee to go on full-time telework or remote work status. There are now a handful of NIJ employees on full-time remote work status.

them navigate the rules and regulations on their grants. As expected, my assigned number of grants increased following the conversion, allowing me to receive and review grants previously managed by each of the SSAs in NIJ. It was that grant transfer and my refusal to look the other way when I uncovered fraud, waste, and abuse therein, that led to the whistleblowing actions I have taken to date.

One of the first of those grants that concerned me was the AHP grant mentioned above. In addition to the issues regarding the funding table and peer review scores, AHP had been awarded a grant to evaluate a Residential Substance Abuse Treatment (RSAT) program to which it had already been providing training and technical assistance services. Namely, prior to applying with NIJ for the evaluation grant, AHP had been operating under two (2) other multi-year grants from another OJP office (OJP's Bureau of Justice Assistance (BJA)) to provide training and technical assistance to RSAT agency providers. Thus, in effect, by awarding them the evaluation grant, NIJ was allowing AHP, at least in part, to evaluate their own service provision, unquestionably a conflict of interest.

However, my focus on the grant was not whether or not the grant should have been awarded to AHP in the first place, but rather what activities the grantee had been engaging in post-award. Specifically, the application materials for AHP included a strict firewall, wherein they promised to keep the personnel on the BJA and NIJ projects completely separate. However, soon after receiving the grant, I reviewed the budget and program narrative documents for all of the NIJ and BJA projects and found numerous violations of the firewall, dating back to the inception of the NIJ grant (and clearly outlined in the pre-award budget documents as well). I alerted then ORE Director Phyllis Newton of the problems beginning in April 2014, and Acting Director Greg Ridgeway in May 2014. After receiving pressure to look the other way, including a not so veiled threat from Ms. Newton that I was jeopardizing my Remote Work Agreement (RWA) if I did not do so, in June 2014 I reported the firewall issues to OJP's OGC and Office of Audit, Assessment, and Management (OAAM) as well as DOJ's OIG.

When I contacted OGC in June 2014, I informed the attorney-advisors⁹² that I had been experiencing some threats of retaliation from then ORE Director, Phyllis Newton, due to my work on the AHP grant. Specifically, I shared this information in an email to OGC on June 12, 2014, as an explanation as to why I had not copied Ms. Newton on that email and others going forward. However, following this report to OGC, one attorney⁹³ routinely and immediately forwarded my emails to Ms. Newton, leading to an escalation of the retaliation brought against me, and culminating in the termination of my RWA in August 2014.

Following my report to OGC, on August 11, 2014, I met with four (4) of OGC's attorney-advisors⁹⁴ and was informed that my report, and specifically AHP's violations outlined therein, was going to be addressed in full. However, instead of this taking place, in September

⁹² Ms. Rhonda Craig, copying Mr. John Pensinger.

⁹³ Ms. Rhonda Craig.

⁹⁴ Mr. George Pruden, Ms. Rosemary Cavanagh Carradini, Ms. Gena Bernhardt, and Ms. Rhonda Craig.

2014 I was informed by Ms. Newton that my RWA had been terminated and I had six (6) months to relocate to Washington, DC. Unbeknownst to me, the termination had been signed and executed by AAG Mason on August 28, 2014.

I later discovered that one of the OGC attorneys I had met with in August 2014, the same one who previously forwarded my emails to Ms. Newton, had been meeting with Ms. Newton to discuss my role on the AHP grant, and possible resolutions to my whistleblowing. These meetings took place prior to and simultaneous with the termination of my RWA.⁹⁵ Thus, on August 28, 2014, my RWA was terminated and on September 29, 2014, the grant was transferred away from me and assigned to another GM. However, before the grant transfer occurred, I requested a financial audit of the grant; an audit which recently led to the disallowance of \$13,000 when it was discovered that staff on the BJA project were in fact paid with NIJ grant funds. With the termination of my RWA, I then contacted OSC and filed a second complaint with DOJ's OIG.

Below is a list of the retaliatory action taken against me over the past two (2) years, since my first report of wrongdoing to outside investigative offices in June 2014, and the dates those actions were taken. The actions include termination of my Remote Work Agreement (RWA); denial of sick leave; multiple denials of training requests;⁹⁶ inaccurate, retaliatory performance appraisal; multiple grants transferred to other GMs after I reported SSA wrongdoing on those grants, reported to both internal and external officials (including DOJ's OIG, OSC, and the U.S. Senate Judiciary Committee); and, most recently, a meeting in January 2016 wherein the possibility of punishment of me as a whistleblower was discussed.

These violations are particularly interesting since in a January 14, 2014, letter the U.S. Senate Judiciary Committee requested that AAG Mason, "notify all OJP staff by email of their right to communicate with Congress" and the "prohibition on retaliation for such communication."⁹⁷ In response, AAG Mason stated that OJP's "current procedures for advising employees of their rights regarding whistleblower protections are sufficient."⁹⁸ This has clearly not been the case for me. As illustrated in the below timeline, the only thing that appeared to stem the tide of retaliation was the glaring attention NIJ received from outside investigative offices from June 2015 to January 2016. Once that attention appeared to be at an end, on the very day the OJP Report was released, and the SSAs and NIJ management felt vindicated in that fatally flawed report, the retaliation immediately resumed.

⁹⁵ I have saved calendar appointments and emails between Ms. Newton and OGC attorney-advisor, Ms. Rhonda Craig, detailing these meetings and subjects discussed therein.

⁹⁶ Regarding the training request denials, tens of thousands of dollars were spent on SSAs traveling to out-of-town training and non-mandatory conferences throughout 2014 and 2015, some of whom received compensatory time for those trips.

⁹⁷ See [http://www.grassley.senate.gov/sites/default/files/news/upload/CEG%20to%20OJP%20\(JJDP%20Act%20Grant%20Fraud\),%201-14-15.pdf](http://www.grassley.senate.gov/sites/default/files/news/upload/CEG%20to%20OJP%20(JJDP%20Act%20Grant%20Fraud),%201-14-15.pdf)

⁹⁸ See <http://www.grassley.senate.gov/news/news-releases/doj-whistleblowers-allege-personnel-decisions-aimed-impeding-judiciary-committee>

Date	OJP/NIJ/ORE Mgmt.	Retaliatory Action Taken	Resolution
June 2014 - Reported grant wrongdoing to DOJ's OIG & OJP's OGC & OAAM			
Aug. 28, 2014	AAG Karol Mason, Acting NIJ Dir. Bill Sabol, & ORE Dir. Phyllis Newton	Remote Work Agreement (RWA) to be Terminated on 2-28-2015	April 2015 – OSC negotiated 2 yr. RWA extension
September 2014 – Reported retaliation to DOJ's OIG, OSC's Retaliation Unit, & OJP's EEO			
Oct. 6, 2014	Acting NIJ Dir. Bill Sabol, NIJ Deputy Dir. Howard Spivak, ORE Dir. Seri Irazola	Grant Transferred after Issues Reported to OIG, OGC, & OSC – AHP grant (See Appendices 1 & 2, Line 1)	None to Date
Nov. 7, 2014	ORE Director Seri Irazola	Training Request Denied	None to Date
Dec. 3, 2014	ORE Director Seri Irazola	Sick Leave Request Denied	None to Date
Dec. 4, 2014	Acting NIJ Dir. Bill Sabol, NIJ Deputy Dir. Howard Spivak, ORE Dir. Seri Irazola	Grant Transferred after Issues Reported to NIJ/ORE – UNH grant (See Appendix 1, Line 67; Appendix 2, Line 47; & Appendix 4, Line 25)	None to Date
Dec. 12, 2014	Acting NIJ Dir. Bill Sabol, NIJ Deputy Dir. Howard Spivak, ORE Dir. Seri Irazola	Grant Transferred after Issues Reported to NIJ/ORE – UAZ grant (See Appendix 5, Line 9)	None to Date
Dec. 22, 2014	NIJ Deputy Dir. Howard Spivak, ORE Dir. Seri Irazola	Training Request Denied	None to date
Feb. 25, 2015	NIJ Deputy Dir. Howard Spivak, ORE Dir. Seri Irazola	Retaliatory 2014 Performance Appraisal	April 2015 – OSC negotiated accurate 2014 perform. app.
Feb. 27, 2015	ORE Director Seri Irazola	Grant Transferred after Issues Reported to OJP/NIJ – UI grant (See Appendix 1, Line 63, Appendix 2, Line 44; & Appendix 4, Line 22)	None to Date
Apr. 6, 2015	ORE Director Seri Irazola	Grant Transferred after Issues Reported to OJP/NIJ/ORE – AIDA grant (See Appendices 1 & 2, Line 3; Appendices 4 & 5, Line 1)	None to Date
Apr. 8, 2015	NIJ Deputy Dir. Howard Spivak, ORE Dir. Seri Irazola	Training Request Denied	None to Date
April 22, 2015 – Reported grant wrongdoing to OSC's Disclosure Unit			
Apr. 28, 2015	ORE Director Seri Irazola	Grant Transferred after Issues Reported to ORE – UCD grant (See Appendix 5, Line 10)	None to Date
May 8, 2015	NIJ Dir. Nancy Rodriguez, NIJ Deputy Dir. Howard Spivak, ORE Dir. Seri Irazola	Training Request Denied	None to Date
June 3, 2015 – OSC Referral Letter sent to AAG Karol Mason			
July 14, 2015 – U.S. Senate Judiciary Committee Letter to AAG Karol Mason and IG Michael Horowitz			
August 10, 2015 – Reported grant wrongdoing to U.S. Senate Judiciary Committee			
September 15, 2015 – U.S. Senate Judiciary Committee Letter to AG Loretta Lynch			
January 13, 2016 – OJP Report sent to OSC			
Jan. 13, 2016	NIJ Dir. Nancy Rodriguez, NIJ Deputy Dir. Howard Spivak, ORE Dir. Seri Irazola	SSA Mtg. – OJP Report and Possible Punishment of Whistleblower Discussed	None to Date
February 26, 2016 – This Document (Response to OJP Report) submitted to OSC, OIG, and U.S. Senate Judiciary Committee			
February & March 2016	NIJ Deputy Dir. Howard Spivak, NIJ Grants Management Unit Dir. Renee Cooper, OJP Human Resources Dir. Jennifer McCarthy	Repeated delays in approving leave requests, rejected Time and Attendance (T&A), delays in approving T&A (payroll), &/or refused pay and compensation for time spent compiling and providing information to outside investigative offices (required to use annual leave)	None to Date

It's also interesting to note, that on my 2015 performance plan, wherein the goals and performance criteria for the year are listed, ORE Director Seri Irazola and NIJ Deputy Director Jennifer Scherer tried to remove the following task (found in my 2014 performance plan):

Provide review and guidance on business-related activities (e.g., policies and regulations impacting ORE grants management program and including financial, administrative, legal, and regulatory practices)

When I pointed-out that removing this task from my performance plan would not prevent me from continuing to alert ORE and NIJ management of policies (and violations thereof), since the task is a part of my position description as a GS-1109, not to mention reporting fraud, waste, and abuse is part of my duties as a federal employee, they reluctantly kept the task in my performance plan for 2015.

Conclusion

As detailed in this Response, the OJP Report is deficient in that the investigation preceding it was superficial at best, with most of the SSAs and all of the prior NIJ management involved in the wrongdoing not interviewed; it fails to reflect an understanding of the federal rules and regulations affecting federal grants management, and OJP grants in particular; and it lacks an in-depth analysis of the egregiousness of the violations committed within NIJ. As such, the OJP Report is grossly insufficient and must be rejected in whole and in part. Rather, the matter should be immediately referred to a trained investigative office, such as DOJ's OIG, for an appropriate full-scale audit and investigation of wrongdoing within NIJ.

END OF COMMENTS.

List of Appendices

- 1 – Spreadsheet - Pre-Award Communication on ALL Active ORE Grants
- 2 – Spreadsheet - Pre-Award Communication on 2014 and Earlier ORE Grants
- 3 – Spreadsheet - Pre-Award Communication on 2015 ORE Grants
- 4 – Spreadsheet - Incentives on Approximately One-Third of ORE Grants
- 5 – Spreadsheet - Post-Award Wrongdoing on Approximately One-Third of ORE Grants
- 6 – U.S. Senate Judiciary Letter to Attorney General Lynch – September 15, 2015
- 7 – U.S. Senate Judiciary Letter to OJP AAG Mason and DOJ IG Horowitz – July 14, 2015
- 8 – SSA’s Calendar Appointment with Embedded Email from Subcontractor – Re: All-Expense-Paid Trip to Tennessee – Apr. 14-17, 2015
- 9 – SSA’s Calendar Appointment – Re: Pre-Solicitation Meeting with Applicant – November 6, 2014
- 10 – SSA’s Calendar Appointment with Embedded Email – Re: Pre-Solicitation Meeting with Applicant – November 25, 2014
- 11– SSA’s Email to GM – Re: SSA Conflict of Interest - Co-Authoring Paper with PI – August 8, 2015
- 12 – SSA’s Email to ORE Director – Re: Co-Presenting with Applicant & Providing List of Subcontractors – January 22, 2015
- 13 – ORE Director Email to GM with NIJ Director, NIJ Deputy Director, & OJP’s OGC and OAAM Copied – Re: ORE Director Erroneously Claims No Violation of NIJ Policy – February 5, 2015

APPENDIX 1							
– Pre-Award Communication on ALL Active ORE Grants –							
Line #	SSA Name(s)	Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	SSA Action(s)	GM
1.	L. Truitt	2013-MU-CX-0057	Advocates for Human Potential (AHP)	1/1/2014; 6/30/2015	\$399,836	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 18 pgs. of Q&A over 4 times (NIJ questions asked multiple sets of questions, grantee answered 7/18/2013, 7/19/2013, 7/29/2013, and 7/30/2013); Falsified Funding Table; Post-Award Direction (presentation, video conferencing, mandatory mtgs., travel); 2015 OCFO Audit Findings: grantee paid salary of BJA grant personnel with NIJ grant funds - \$13,000 disallowed (see 2015 OCFO audit and EPDR findings)	C Girouard
2.	A. Moore	2013-PJ-BX-K001	Allison Brooks	11/1/2013; 1/31/2015	\$117,001	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 pg. Q&A entitled "Request for Additional Information" - Dated 7-29-2013, Uploaded 8-2-2013	N Kenon
3.	C. Crossland	2014-MU-MU-K001	American Indian Development Associates, LLC (AIDA)	1/1/2015; 9/30/2016	\$958,045 (\$421,104 orig., \$536,941 supp.)	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 9 documents including 8 page Q&A doc; COI (Co-Presenters); Post-Award - Subcontractor Direction (along with D. Blachman-Demner)	DJ Davis
4.	N. Frederique & L. Truitt	n/a (Justice Systems Research app)	American University (Preeti Menon)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSAs met with Preeti Menon "on IDS" on 3/11/2015 - appt. states discussion pertains to Justice Systems Research Solicitation (appt. & email on both SSAs' calendars); Justice Systems solicitation open 1/14/2015 to 4/14/2015	n/a
5.	P. Wyrick	2014-CK-BX-0016	Arizona Department of Education	1/1/2015; 12/31/2017	\$4,999,442	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Uploaded by L Bright on 9-3-2014, dated 8-29-2014 ("We appreciate the opportunity to clarify and expand on several components of our proposal"), Email exchange between NIJ and applicant dated 8-29-2015 (not uploaded to GMS by SSA)	L Bright

6.	M. Moses	2014-IJ-CX-0026	Arizona State University	1/1/2015; 12/31/2017	\$666,268	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA emailed applicant on 7-28-2015 and received a 5-page, single-spaced response document from the applicant dated 7-29-2015; SSA uploaded response document to GMS on 7-30-2015; No justification provided in funding table for funding of project (funding memo signed 7-28-2015)	DJ Davis
7.	K. Browning	2015-IJ-CX-0013 (Researcher-Practitioner Partnership (RPP) grant award)	Arizona State University	1/1/2016; 12/31/2017	\$369,928	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 4 RPP apps with pre-award communication (3 of 4 contacted were awarded); SSA sent single question to applicant on 7-8-2014; Applicant asked SSA about length and format for her response on 7-9-2015; SSA replied on 7-10-2015 stating the response document "does not need to be extensive;" Applicant responded with 3 page response document on 7-14-2015; SSA uploaded documents to GMS on 7-14-2015; Pre-award communication is outlined in detail on Funding Table attached to Funding Memo; Funding Memo signed by NIJ Deputy Dir. on 7-30-2015	DJ Davis
8.	K. Browning	2015-IJ-CX-0011; (Researcher-Practitioner Partnership (RPP) grant award)	Ball State University	1/1/2016; 12/31/2018	\$388,478	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 4 RPP apps with pre-award communication (3 of 4 contacted were awarded); SSA sent 6 questions to applicant on 7-8-2014; Applicant responded with 4 page response document on 7-14-2015; SSA uploaded documents to GMS on 7-14-2015; Pre-award communication is outlined in detail on Funding Table attached to Funding Memo; Funding Memo signed by NIJ Deputy Dir. on 7-30-2015	DJ Davis
9.	C. Mulford	2014-MU-CX-0006	Board of Regents, University of Nebraska, University of Nebraska-Lincoln	1/1/2015; 12/31/2017	\$641,614	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 7 Docs Uploaded by SSA Pre-Award (on 7-22-2014), including 2 Docs of Q&A (one dated 7-2-2014, another dated 7-6-2014); SSA's 7-2-2014 Q&A email includes a question about increasing incentives ("The size of the incentives to probationers was raised by the review panel. If my math is correct, it seems that each probationer will be compensated up to \$30 if he/she participates in all 6 planned inter views. This seems quite low. Perhaps raising that amount to something between \$60 and \$100 would be more in line with other similar research that we fund.")	L Bright

10.	D. Blachman-Demner	2013-VA-CX-0008	Board of Trustees of the University of Illinois	11/1/2013; 10/31/2016	\$662,993	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 pg. Q&A Doc Uploaded 7-17-2013	L Bright
11.	C. Mulford	2013-VA-CX-0003	Boston Medical Center Corporation (BMC)	1/1/2014; 12/31/2016	\$787,595	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 pg. Q&A Doc - Dated 7-7-2013, uploaded 7-17-2013	C Girouard
12.	B. Backes	2013-MU-CX-0038	California State University, Fullerton	1/1/2014; 12/31/2016	\$925,190	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 of 4 VAW 2013 Awards with Pre-Award Contact - 2 pg. Q&A Doc - Re Adding Interviews at NIJ's Request - Dated 7-23-2013, uploaded 7-25-2013	C Girouard
13.	E. Martin & K. Browning	n/a (Researcher-Practitioner Partnership (RPP) app)	Catholic University of America (Melissa Grady)	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - E. Martin met with Melissa Grady on 11/6/2014 and K. Browning met with her on 11/25/2014 to discuss upcoming 2015 RPP application (appts. on both SSAs' calendars & email also on K. Browning calendar); RPP Solicitation open 1/14/2015 to 4/20/2015	n/a
14.	D. Blachman-Demner, N. Frederique, & E. Martin	2015-R2-CX-0014 (Translational Criminology grant award)	Child Trends, Inc.	1/1/2016; 12/31/2017	\$200,000	Pre-Award Communication (Solicitation Open, Solicitation Closed & Post-Peer Review) - N. Frederique & E. Martin met with applicant on 3/26/2015 and D. Blachman-Demner met with applicant on 3/30/2015 (Translational Crim. Solicitation closed 4/9/2015) - appts. listed on all 3 SSAs' calendars; SSA (D. Blachman-Demner) sent questions to applicant on 6-12-2015 (appears to be 1 of only 2 applicants to be contacted from Translational Solicitation, both funded), Rec'd 8 page response doc from applicant on 6-15-2015, Uploaded to GMS on 6-22-2015; Funding Memo Routing Slip dated 7-13-2015; Funding Table lists applicant's responses as one reason why application was funded	N Kenon

15.	E. Martin	2015-IJ-CX-0015 (Justice Systems grant award)	Curators of the University of Missouri on Behalf of UMSL	1/1/2016; 12/31/2018	\$564,733	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA contacted applicant and applicant responded with 3 page response document on 7-8-2015 (entitled "Responses to NIJ Questions"); 1 of 3 applicants contacted from JS Solicitation (2 of 3 contacted were funded); Response doc uploaded by SSA to GMS on 7-13-2015; Pre-award communication included on signed funding table as part of reasons app was funded (table signed by NIJ Deputy Dir.); Funding memo signed by NIJ Dir. on 7-27-2015	DJ Davis
16.	K. Browning	n/a	Fairleigh Dickinson University (Amy Shlosberg)	n/a	n/a	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA met with Amy Shlosberg to discuss grant application on 6/24/2015 (appt. & email on SSA's calendar)	n/a
17.	K. Browning	n/a (Researcher-Practitioner Partnership (RPP) app)	Florida International University (Lindsay Malloy)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with Lindsay Malloy on 3/3/2015 (same day SSA was Acting Division Director) to discuss "substantive questions" regarding RPP Solicitation (appt. & email on SSA's calendar)	n/a
18.	N. Frederique	2013-R2-CX-0009	Florida State University	1/1/2014; 12/31/2016	\$495,329	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 Docs Uploaded Pre-Award by DJD on 8-13-2013 (following Director's briefing - docs include email from OGC and 2 response docs from applicant - requiring custom SC)	L Bright
19.	B. Auchter	2010-IJ-CX-0015	Fund for the City of New York, Center for Court Innovation (CCI)	10/1/2010; 9/30/2015 (including 2011 Supp.)	\$2,000,000 (includes \$1,500,000 2011 Supp.)	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Note in GMS States SSA Requested Changes in Project Timeline - SSA Uploaded 3 Revised Docs Pre-Award (Timeline, SF424, & Program Narr.) Uploaded on 7-26-2010; Grant over 5 years past its award date	L Bright
20.	N. Frederique (L. Truitt & A. Moore)	2012-IJ-CX-0036	Fund for the City of New York, Center for Court Innovation (CCI)	1/1/2013; 3/31/2017	\$1,000,000	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4 Docs Uploaded Pre-Award by A. Moore on 8-6-2012 (including a 16 pg. response doc addressed to L. Truitt, dated 6-29-2012)	N Frederique
21.	N. Frederique	2012-R2-CX-0008	Georgetown University	1/1/2013; 6/30/2015	\$510,953	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 5 Docs Uploaded Pre-Award (includes Response Doc Dated 7-19-2012 & Emails with App Dated 7-30-2012)	N Frederique

22.	D. Blachman-Demner	2014-VF-GX-0001 (Office for Victims of Crime (OVC) Vision 21 grant award)	ICF Incorporated, LLC	1/1/2015; 3/31/2016	\$499,994	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - S Irazola applied for ORE Director Position (6-15-2014); App Docs (with S Irazola) Dated 7-3-2014; 4 Docs Uploaded by SSA Pre-Award (Dated 8-6-2014, Uploaded 8-12-2014) - Includes 15 pg. Response Doc w/ CVs of S. Irazola Replacements; Award Date 9-18-2014; S. Irazola's first day in NIJ 9-22-2014; GAN replacing S Irazola as POC 1-6-2015	L Bright
23.	P. Wyrick (& P. Clark)	2013-R2-CX-0001	International Association of Chiefs of Police, Inc. (IACP)	10/1/2013; 9/30/2015	\$500,000	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4 Docs Uploaded Pre-Award by P. Clark on 7-26-2013 with 7-23-2013 Note (includes revised Prog. Narr, Budget Docs, and SF-424)	L Bright
24.	K. Browning	2015-R2-CX-K041 (Sentinel Events grant award)	Michigan State University	1/1/2016; 12/31/2018	\$724,294	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 2 apps for FY15 Sentinel Events solicitation with pre-award communication (both awarded); Pre-award communication included on Funding Table and Uploaded to GMS; SSA emailed 4 clarifying questions to applicant on 7-27-2015; 5 page response doc emailed by applicant, dated 7-29-2015, and uploaded by SSA to GMS on 7-30-2015; Extensive detail about pre-award communication included on Funding Table, attached to Funding Memo; Funding Memo signed by NIJ Dir. on 7-30-2015	C Girouard
25.	L. Truitt	2015-VV-BX-K020 (Justice Systems grant award)	Missouri State University	1/1/2016; 12/31/2018	\$761,231	Pre-Award Communication (Solicitation Open, Solicitation Closed & Post-Peer Review) - Group from Applicant Org visited NIJ March 2014, hosted by L. Truitt (Justice Systems Solicitation open 1/15/2015 to 4/15/2015); SSA (Truitt) did not recuse herself from app review and contacted applicant and applicant responded with 7 page response document on 7-9-2015; 1 of 3 applicants contacted from JS Solicitation (2 of 3 contacted were funded); Response doc uploaded by SSA to GMS on 7-13-2015 and SSA included note in GMS about the pre-award communication; Pre-award communication included on signed funding table as part of reasons app was funded (table signed by NIJ Deputy Dir.); Funding memo signed by NIJ Dir. on 7-27-2015; Grantee contacted NIJ GM 10-19-2015 expressing confusion over pre-award communication and project	DJ Davis

						requirements (i.e., whether original app. proposal or proposed pre-award changes were required); GM emailed NIJ Dir., NIJ Deputy Dir., and ORE Dir. on 10-20-2015, re: grantee's question; ORE Dir. replied via email on 10-20-2015, stating info in orig. app. should be used; 12-8-2015 grantee submitted Sole Source GAN referring to pre-award communication & stating NIJ directed subcontractor selection	
26.	K. Browning	FY13 Social Science Research on Forensic Science	n/a	n/a	\$1,495,125	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 6 of 15 applications on funding table indicate Pre-Award Communication	n/a
27.	L. Truitt, K. Browning, B. Backes, A. Moore, & S. Irazola	n/a (Researcher-Practitioner Partnership (RPP) apps)	n/a	n/a	n/a	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSAs, Division Director, & ORE Director met on 7/16/2015 to discuss "RPP responses" from clarifying questions sent to RPP applicants (appt. is on all participants' calendars)	n/a
28.	N. Frederique & D. Blachman-Demner	2015-R2-CX-0004 (Children Exposed to Violence (CEV) grant award)	National Children's Advocacy Center (NCAC)	1/1/2016; 12/31/2018	\$755,136	Pre-Award Communication (Solicitation Open, Solicitation Closed & Post-Peer Review) - N. Frederique was invited by Sherry Hamby at Life Paths Appalachian Research Center (LPARC) at Sewanee University to visit their site 4-14-2015 to 4-17-2015 (trip to be paid in full by LPARC); CEV solicitation closed 4-8-2015; Trip was included on SSA's calendar, with embedded email, until removed at last minute; Over \$300k going to subcontractor LPARC (Co-PI, Sherry Hamby) over all years of grant and \$5850 going to other LPARC staff member (J. Grych) as consultant on grant; S. Hamby served on NIJ 2014 Standing Peer Review Panel; D. Blachman-Demner sent questions to subcontractor LPARC/S. Hamby (NOT applicant) and received response on 7-10-2015 (appears to be only application w/ pre-award contact from CEV Solicitation), Response doc uploaded to GMS on 7-13-2015; Funding Memo signed 7-16-2015; Funding Table lists applicant's responses as a "satisfactory" response	DJ Davis

29.	C. Mulford	2010-MU-MU-0008	National Opinion Research Center at the University of Chicago (NORC)	1/1/2011; 12/31/2015	\$807,256	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 Docs Uploaded by SSA Pre-Award (Uploaded 7-21-2010 & 7-28-2010) - No Explanation Given in GMS or on Funding Memo of Project Revisions; Grant is over 5 years past its award date	L Bright
30.	C. Mulford (D. Blachman-Demner & B. Backes Pre-Award)	2014-VA-CX-0065	National Opinion Research Center at the University of Chicago (NORC)	1/1/2015; 12/31/2017	\$998,989 (\$351,825 orig., \$648,164 Supplement)	Pre-Award Communication (Solicitation Open, Solicitation Closed & Pre- and Post-Peer Review) - SSA (Backes) met with Consultant (P. Giordano) prior to solicitation closing (Meeting on 3-24-2014, solicitation closed 4-25-2014); SSA (Blachman-Demner) requested and uploaded 3 docs pre-award (required staff list uploaded 5-8-2014; revised budget and SF424 uploaded 7-30-2014); Other Issues - App ranked lower than 5 other apps not funded (including one which said it would have been funded if funds were available); See Line 7 of Post-Award Dir. Spreadsheet (i.e., 2015 supplement award offered and awarded on this grant even though less than \$5k obligated as of 6/30/2015)	L Bright
31.	K. Browning & C. Mulford	2015-VF-GX-0110 (Victims of Crime grant award)	National Opinion Research Center at University of Chicago (NORC)	1/1/2016; 7/31/2018	\$998,044	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 4 grant awards from Victims of Crime Solicitation, 1 of 2 with pre-award communication; Point of Contact/PI on this application/award (Elizabeth Mumford) is same person who met with SSA (K. Browning) on 2-19-2015 (see Line 32 below); SSA (C. Mulford) emailed applicant on 8-10-2015 with 3 questions based on "issues raised by the peer review panel;" Applicant sent 5 page response document on 8-11-2015; C. Mulford emailed applicant a second time on 8-13-2015 asking them to expand the scope of their project & provide new application materials (SF424, abstract, budget, budget narr., & proj. narr.); Applicant sent response email on 8-18-2015 with 6 new applicant docs attached; New uploaded prog. narr. includes cover letter stating it "addressed concerns raised in peer review;" Pre-award communication & new applicant docs uploaded by C. Mulford to GMS on 8-18-2015 & 8-19-2015 with note stating expanded	DJ Davis

						scope were requested by NIJ Director during Director's briefing on 8-13-2015; Funding Memo signed by NIJ Deputy Dir. on 8-18-2015	
32.	K. Browning	n/a (Researcher-Practitioner Partnership (RPP) app)	National Opinion Research Center at University of Chicago (NORC) (Elizabeth Mumford)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with Elizabeth Mumford to discuss RPP application on 2/19/2015 (appt. & email on SSA's calendar)	n/a
33.	B. Backes	2011-WG-BX-0002	New York University	2/1/2012; 1/31/2016	\$275,000	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 Q&A Docs with Emails - Dated 7-27-2011, uploaded 8-2-2011	C Girouard
34.	L. Truitt	n/a (Data Resource Program (DRP) app)	North Carolina State University (Candalyn Rade)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with Candalyn Rade with NC State to discuss "re DRP" on 4/10/2015 and 4/15/2015 (appts. on SSA's calendar)	n/a
35.	L. Truitt	2010-RY-BX-0001	Northwest Professional Consortium, Inc.	1/1/2011; 7/31/2016	\$2,988,850	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 34 pg. Response Doc Uploaded 7-16-2010; Grant is over 5 years past award date	L Bright
36.	D. Blachman-Demner	2015-R2-CX-0003 (Children Exposed to Violence (CEV) grant award)	Oregon Social Learning Center	1/1/2016; 12/31/2017	\$407,802	Pre-Award Communication (Solicitation Open, Solicitation Closed & Post-Peer Review) - SSA met with "applicant Ernie Jouriles" on 3/23/2015 (appt. listed on SSA's calendar); CEV Solicitation closed 4-8-2015; Ernie Jouriles is a paid consultant on this project's budget; 8-3-2015 SSA email to GM reveals pre-award, SSA discussed co-authoring paper with PI on 2013 grant (same PI as this grant); SSA did not recuse herself from 2015 app review and awarding process	DJ Davis
37.	D. Blachman-Demner & C. Mulford	2012-R2-CX-0012	Pennsylvania State University	5/1/2013; 4/30/2016	\$426,181	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Q&A, Letter from Subcontractor, Budgets adding GRAs and "additional group"	DJ Davis
38.	N. Frederique & L. Truitt	n/a (Justice Systems/Veterans' Treatment Courts app)	Pennsylvania State University, Harrisburg (Eileen Ahlin)	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - SSAs met with Eileen Ahlin to discuss Veterans Treatment Courts Solicitation on 1/14/2015 (appt. & email on both SSAs' calendars); Justice Systems Solicitation open 1/15/2015 to 4/15/2015	n/a

39.	A. Moore	2012-IJ-CX-0041	Policy Research Associates, Inc.	1/1/2013; 3/31/2015	\$342,737	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Q&A Doc - Uploaded by A Moore on 8/6/2012	DJ Davis
40.	L. Truitt	2013-R2-CX-0010	Public Policy Institute of California	1/1/2014; 12/31/2016	\$495,951	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Email Q&A Between SSA and Applicant Dated 7-23-2013 and Uploaded 8-2-2013	L Bright
41.	E. Martin	2014-IJ-CX-0005	RAND	1/1/2015; 12/31/2015	\$494,447	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 5 pg. Q&A Doc - uploaded on 7-30-2014	C Girouard
42.	N. Frederique	2013-IJ-CX-0027	RAND	1/1/2014; 12/31/2015	\$334,998	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 pg. Q&A Email Responding to Reviewer Suggestions - Dated and Uploaded 7-29-2013	C Girouard
43.	D. Blachman-Demner	2015-R2-CX-0016 (Translational Criminology grant award)	RAND	1/1/2016; 12-31-2017	\$198,832	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA sent questions to applicant on 6-12-2015 (appears to be 1 of only 2 applicants contacted pre-award from Translational Solicitation, both funded), Rec'd response from applicant on 6-15-2015, Uploaded to GMS on 6-22-2015; Funding Memo Routing Slip dated 7-13-2015; Funding Table lists responses as one reason why applicant was funded	C Girouard
44.	B. Backes	2013-NE-BX-0004	Rector and Visitors of the University of Virginia	1/1/2014; 12/31/2015	\$253,561	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4 of 4 VAW 2013 Awards with Pre-Award Contact (all 4 funded) - See VAW 2013 Funding Memo/Table	L Bright
45.	M. Garcia	2012-AW-BX-0153	Regents of the University of Minnesota	1/1/2013; 12/31/2017	\$1,496,090	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 pg. Response Doc Dated 7-31-2012, Uploaded 8-6-2012	L Bright
46.	D. Blachman-Demner	2011-WG-BX-0013	Research Foundation of City University of New York (CUNY), John Jay College	1/1/2012; 10/31/2015 (Includes 2014 Supp.)	\$467,587 (includes 2014 \$155,620 Supp.)	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 Docs Uploaded Pre-Award (Including Q&A Doc Dated 7-5-2011, Uploaded by SSA on 8-2-2011)	D Blachman-Demner
47.	M. Moses (& A. Moore)	2012-MU-MU-0048	Research Foundation of State University of New York (SUNY)	1/1/2013; 12/31/2015	\$706,943	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - M. Moses Uploaded 5 Docs Pre-Award on 7-26-2012 - A. Moore Uploaded Response Doc on 8-6-2012	L Bright

48.	N. Frederique (& B. Chapman)	2014-IJ-CX-0027	Research Foundation of State University of New York (SUNY), University at Albany	1/1/2015; 12/31/2016	\$381,402	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Revised 51 pg. Program Narr. Uploaded by B. Chapman on 8-22-2014	L Bright
49.	B. Backes	2014-VA-CX-0067	Research Foundation of State University of New York (SUNY), University at Buffalo	1/1/2015; 12/31/2015	\$288,152	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 8-1-2014 Email Between SSA & Grantee "per our conversation"	L Bright
50.	M. Garcia	2012-RY-BX-0001	Research Triangle Institute (RTI)	1/1/2013; 6/30/2016	\$3,534,589	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 18 pg. Q&A Doc "Response to Reviewer Comments" - Dated 7-30-2012, uploaded 8-6-2012	C Girouard
51.	C. Mulford	2013-IJ-CX-0026	Scripps College	1/1/2014; 12/31/2015	\$136,290	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 pg. Q&A Doc - Uploaded 7-25-2013	N Kenon
52.	M. Garcia	2012-IJ-CX-0034	South Carolina Research Foundation	1/1/2013; 12/31/2015	\$498,707	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4 docs uploaded pre-award, including 2 pg. "Application Supplement" which states: "In accord with the excellent suggestion provided by peer reviewers and/or NIJ staff, our project team will expand the scope of work" - all 4 docs uploaded 7-5-2012	DJ Davis
53.	B. Chapman	2011-IJ-CX-0007	Southern Illinois University	1/1/2012; 4/30/2015	\$395,481	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Consultant Rate Waiver - 8/2/2011	DJ Davis
54.	K. Browning	2014-IJ-CX-0037	Texas State University	1/1/2015; 1/31/2017	\$389,690	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 7 pg. Response Doc Uploaded 7-31-2014	L Bright

55.	K. Browning	2015-R2-CX-K040 (Sentinel Events grant award)	The Trustees of the University of Pennsylvania	1/1/2016; 12/31/2018	\$351,052	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 2 apps for FY15 Sentinel Events solicitation with pre-award communication (both awarded); Extensive detail about pre-award communication included on Funding Table, attached to Funding Memo; Funding Table says response document was uploaded to GMS, but it was not; Funding Memo signed by NIJ Dir. on 7-30-2015; Email was sent out 6/30/2015 with attached "ORE Redbook Process" document, that policy document stated no COI if former NIJ Director Greg Ridgeway was on a FY15 award (which he is here), this same statement was cut and pasted to Sentinel Events Funding Table along with praise for the applicant's "exceptional understanding of all aspects of Sentinel Event Reviews" (G. Ridgeway was Acting NIJ Dir. in 2014, presiding over inaugural year of Sentinel Event solicitation/awards)	L Bright
56.	B. Backes	2013-VA-CX-0044	Trustees of Indiana University	1/1/2014; 12/31/2017	\$763,686	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 of 4 VAW 2013 Awards with Pre-Award Contact (all 4 funded)	L Bright
57.	C. Crossland	2012-PJ-BX-K001	University of Alaska, Anchorage	5/1/2012; 4/30/2015	\$493,357	Pre-Award Communication - Non-competed Invitation Visiting Fellowship - Pre-Award Docs Include Emails Between ML Leary & OCFO Allowing Use of Previous Year's Funds Despite \$43Mil. Rescission	C Crossland
58.	D. Blachman-Demner	2013-R2-CX-0007	University of Arkansas at Little Rock	1/1/2014; 1/31/2016	\$161,551	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4 Pre-Award Docs Uploaded on 7-17-2013 through 7-30-2013 (including 13 pg. "clarification" doc uploaded 7-17-2013)	L Bright
59.	D. Blachman-Demner	2013-IJ-CX-0029	University of California, Berkeley	1/1/2014; 12/31/2016	\$456,606	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 pg. Q&A Doc - Uploaded 7-17-2013	C Girouard
60.	D. Blachman-Demner	2013-IJ-CX-0104	University of California, Davis	1/1/2014; 12/31/2016	\$439,989	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 6 pg. Q&A Doc - Dated 7-15-2013, uploaded 7-18-2013	C Girouard

61.	L. Truitt	n/a (Researcher-Practitioner Partnership (RPP) app)	University of California, San Diego (Simmes & Feiler)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with Simmes and Feiler on 3/31/2015 to discuss RPP (RPP Solicitation closed 4/20/2015) (appt. on SSA's calendar)	n/a
62.	C. Mulford	2013-MU-CX-0032	University of Denver (Colorado Seminary)	3/1/2014; 6/30/2017	\$622,283	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 pg. Q&A Doc - Dated 7-11-2013, uploaded 7-25-2013	C Girouard
63.	C. Crossland (& B. Backes)	2010-WG-BX-0009	University of Iowa	1/1/2011; 3/31/2016	\$823,822	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 page Q&A doc dated 7/1/2010 - Additional Power Analysis and other docs requested and uploaded by SSA on 7/16/2010 - Post-Award Interference from SSA and ORE Director - 2014 EPDR findings and Corrective Action Plan, including mismanagement and lack of safeguarding of gift card incentives, negated by ORE management at SSA insistence and grant reassigned from DJ Davis to L Bright	L Bright
64.	M. Garcia	2013-IJ-CX-0028	University of Massachusetts, Lowell	1/1/2014; 9/30/2015	\$233,307	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 10 pg. Q&A Doc - Dated 7-15-2013, uploaded 7-16-2013	C Girouard
65.	M. Garcia	2014-AW-BX-K003	University of Massachusetts, Lowell	1/1/2015; 12/31/2017	\$1,000,000	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 Docs Uploaded Pre-Award (includes Email and 10 pg. Response Memo)	L Bright
66.	M. Garcia	n/a (Justice Systems Research (JSRD) app)	University of Memphis (Catherine Simmons)	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - SSA met with "JSRD applicant conference call (9 am est) - Catherine Simmons, Univ of Memphis" on 12/1/2014 (appt. on SSA's calendar)	n/a
67.	B. Backes	2014-VA-CX-0012	University of New Hampshire	1/1/2015; 12/31/2016	\$579,301	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA directed applicant to add Incentives pre-award (not uploaded to the file, supplied by grantee, email dated 6-24-2014)	C Girouard
68.	D. Blachman-Demner	2012-IJ-CX-0024	University of New Hampshire	1/1/2013; 6/30/2015	\$608,210	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Doc Uploaded 7-30-2012 - Note in GMS states "Per NIJ request, applicant provided information about the make-up of the sample who agreed to be recontacted"	L Bright

69.	N. Frederique	2015-R2-CX-K127 (Bias Crime grant award)	University of New Hampshire	1/1/2016; 12/31/2017	\$624,638	Pre-Award Communication (Solicitation Open, Solicitation Closed & Post-Peer Review) - SSA was invited by Sherry Hamby at Life Paths Appalachian Research Center (LPARC) at Sewanee University to visit their site 4-14-2015 to 4-17-2015 (trip to be paid in full by LPARC); Bias Crime solicitation closed 4-13-2015; Trip was included on SSA's calendar, with embedded email, until removed at last minute; Approx. \$100k going to subcontractor LPARC (Co-PI, Sherry Hamby) over both years of grant; S. Hamby served on NIJ 2014 Standing Peer Review Panel	DJ Davis
70.	C. Mulford	2015-IJ-CX-0022 (Elder Abuse grant award)	University of North Carolina	1/1/2016; 12/31/2018	\$968,933	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 2 grants awarded on FY15 Elder Abuse Solicitation, both awarded grants were ranked lower (4th and 6th) coming out of Peer Review; This grant (ranked 4th) has pre-award communication doc uploaded to GMS (doc dated 7/15/2015, uploaded 7/22/2015); Pre-award inquiry from NIJ SSA states inquiry is: "Based on an issue raised by the peer review panel"; Funding Memo signed 7/16/2015 by NIJ Director	DJ Davis
71.	C. Mulford	2013-IJ-CX-0025	University of Southern California	1/1/2014; 6/30/2016	\$518,327	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Program Narrative and other Docs revised and uploaded 7/25/2013 - note in GMS revisions were "based on reviewer suggestions"	DJ Davis
72.	J. Hunt	2014-R2-CX-0009	University of Texas at El Paso (UTEP)	1/1/2015; 12/31/2017	\$363,848	Pre-Award Communication (Solicitation Open) - On 4-14-2014 then applicant contacted SSA and asked whether incentives for parolees were allowable, SSA's response: the incentives were "perfectly fine;" Solicitation closed 5-5-2014; Pre-award communication was not uploaded to GMS but provided by grantee to GM after award was made and allowability of incentives questioned; Email with SSA's pre-award communication forwarded to NIJ Deputy Director H. Spivak on 1-14-2015	DJ Davis
73.	C. Mulford	2013-IJ-CX-0050	University of Texas Health Science Center at Houston	5/1/2014; 4/30/2016	\$387,736	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 8 Docs Uploaded Pre-Award (including Q&A Doc Uploaded 7-25-2013); Funding Memo/Table lists numerous pre-award communication and was signed by AAG Karol Mason	L Bright

74.	D. Blachman-Demner	2014-R2-CX-0020	University of Utah	1/1/2015; 12/31/2018	\$815,031	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 5 Docs Uploaded by SSA Pre-Award (Uploaded 7-24-2014 and 7-28-2014); Funding Memo References Pre-Award Communication Between SSA & Grantee - 2 Other Apps with Higher Scores Not Funded - This Was Only App with Pre-Award Communication - See CEV 2014 Funding Memo/Table	L Bright
75.	B. Backes	2015-VA-CX-0073 (Violence Against Women (VAW) grant award)	University of Washington	1/1/2016; 12/31/2018	\$697,120	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA contacted applicant on 7-10-2015 with 2 questions (Funding Table lists this as the only VAW applicant to be contacted pre-award); Applicant responded on 7-11-2015 with 2 page response document; SSA uploaded response document and note to GMS on 7-15-2015; Applicant responses are included in lengthy details in Funding Table attached to Funding Memo; Funding Memo signed by NIJ Director on 7-30-2015	DJ Davis
76.	D. Blachman-Demner	n/a	Unknown Grantee Org.	n/a	n/a	Pre-Award Communication - SSA had a "call with applicant" on 3/6/2014 (appt. on SSA's calendar)	n/a
77.	C. Mulford	n/a	Unknown Grantee Org.	n/a	n/a	Pre-Award Communication - SSA had a "call with applicant" on 3/14/2014 (appt. on SSA's calendar)	n/a
78.	E. Martin	n/a (Justice Systems Research (JSRD)/Policin g app)	Unknown Grantee Org. ("Potential Applicant to JSRD Policing")	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - SSA met with "potential applicant to JSRD Policing" on 12/30/2014 (appt. on SSA's calendar)	n/a
79.	L. Truitt	n/a (Researcher-Practitioner Partnership (RPP)/Justice Systems Research (JSRD) app)	Unknown Grantee Org. (A. Smoyer)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with A. Smoyer to discuss "RPP/JSRD" on 2/2/2015 (RPP Solicitation closed 4/20/2015) (appt. on SSA's calendar)	n/a
80.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Cathy Taylor)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with "applicant Cathy Taylor" on 3/2/2015 (appt. listed on SSA's calendar)	n/a

81.	D. Blachman-Demner & B. Backes	n/a (Violence Against Women (VAW) app)	Unknown Grantee Org. (Dan Saunders)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSAs met with VAW applicant on 3/12/2015 (before solicitation closed) to discuss his resubmission application (appt. listed on both SSAs' calendars)	n/a
82.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Elizabeth Englander)	n/a	n/a	Pre-Award Communication - SSA had a "call with applicant Elizabeth Englander" on 3/10/2014 (appt. on SSA's calendar)	n/a
83.	D. Blachman-Demner	n/a (Violence Against Women (VAW)/Teen Dating Violence (TDV) app)	Unknown Grantee Org. (Elizabeth Englander)	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - SSA had a "Call with Elizabeth Englander re TDV application" on 12/16/2014 (appt. listed on SSA's calendar); VAW/TDV solicitation open 1/7/2015 to 4/7/2015	n/a
84.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Erin Casey)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with "applicant Erin Casey" on 1/27/2015 (appt. listed on SSA's calendar)	n/a
85.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Hilary Hodgson)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with "applicant Hilary Hodgson" on 3/24/2015 (appt. listed on SSA's calendar)	n/a
86.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Hui Hang)	n/a	n/a	Pre-Award Communication - SSA had a "call with applicant (Hui Hang)" on 3/12/2014 (appt. on SSA's calendar)	n/a
87.	M. Garcia & B. Chapman	n/a (Justice Systems Research (JSRD) app)	Unknown Grantee Org. (JSRD applicant)	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - SSAs met with "JSRD applicant" on 1/13/2015 (appt. on both SSAs' calendars); Justice Systems solicitation open 1/14/2015 to 4/14/2015	n/a
88.	M. Garcia	n/a (Justice Systems Research (JSRD) app)	Unknown Grantee Org. (JSRD applicant)	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - SSA met with "JSRD applicant conference call" on 11/10/2014 (appt. on SSA's calendar); Justice Systems solicitation open 1/14/2015 to 4/14/2015	n/a
89.	L. Truitt	n/a (Pre-Trial Research app)	Unknown Grantee Org. (KiDeuk Kim)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with KiDeuk Kim on 2/3/2015 to discuss resubmission to Pre-Trial Research Solicitation (appt. & email on SSA's calendar)	n/a

90.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Kristine Campbell)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with "applicant Kristine Campbell" on 1/22/2015 (appt. listed on SSA's calendar)	n/a
91.	L. Truitt	n/a (Researcher-Practitioner Partnership (RPP) app)	Unknown Grantee Org. (Miguel de Figueiredo)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with Miguel de Figueiredo to discuss "re RPP" on 4/7/2015 (RPP Solicitation closed 4/20/2015) (appt. on SSA's calendar)	n/a
92.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Miguel Villodas)	n/a	n/a	Pre-Award Communication - SSA had a "call with applicant Miguel Villodas" on 3/20/2014 (appt. on SSA's calendar)	n/a
93.	L. Truitt	n/a (Researcher-Practitioner Partnership (RPP) app)	Unknown Grantee Org. (R. Nealy)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with R. Nealy to discuss "RPP" on 2/3/2015 (RPP Solicitation closed 4/20/2015) (appt. on SSA's calendar)	n/a
94.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Ruby)	n/a	n/a	Pre-Award Communication - SSA had a "call with potential applicant (Ruby)" on 3/10/2014 (appt. on SSA's calendar)	n/a
95.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Sandra Smith)	n/a	n/a	Pre-Award Communication - SSA had a "call with Sandra Smith (potential applicant)" on 3/13/2014 (appt. on SSA's calendar)	n/a
96.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Sarah Dauber)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with "applicant Sarah Dauber" on 2/5/2015 (appt. listed on SSA's calendar)	n/a
97.	N. Frederique	n/a ("Implementati on" app)	Unknown Grantee Org. (Steve Wood)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA had a "call with Steve Wood - Implementation Solicitation" on 3/12/2015 (appt. on SSA's calendar)	n/a
98.	K. Browning	2014-IJ-CX-0002	Urban Institute	1/1/2015; 12/31/2017	\$569,702	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 5 pg. Q&A Doc - dated 7-24-2014, uploaded 7-31-2014	C Girouard
99.	L. Truitt	2014-IJ-CX-0015	Urban Institute	1/1/2015; 12/31/2017	\$499,989	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 pg. Q&A Doc - dated and uploaded 7-30-2014	C Girouard

100.	E. Martin	2013-IJ-CX-0004	Urban Institute	1/1/2014; 10/31/2016	\$367,894	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Revised Prog. Narr. With 2 pg. Q&A Doc; FY13 SSRFS Funding Table Includes Reference to Pre-Award Communication - Dated 7-11-2013, uploaded 7-16-2013	C Girouard
101.	M. Garcia	2013-AW-BX-0053	Urban Institute	1/1/2014; 12/31/2016	\$999,984	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 13 pg. Revised Research Plan Requested by NIJ and Uploaded 8-8-2013	C Girouard
102.	E. Martin	2012-R2-CX-0001	Urban Institute	1/1/2013; 2/29/2016	\$689,507	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4 pg. Q&A Doc - Dated 7-24-2012, uploaded 8-7-2012	C Girouard
103.	B. Backes	2013-VA-CX-0033	Urban Institute	1/1/2014; 6/30/2016	\$649,776	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 4 VAW 2013 Awards with Pre-Award Contact (all 4 funded) - See VAW 2013 Funding Memo/Table	C Girouard
104.	N. Frederique & L. Truitt	n/a (Translational Criminology App)	VA Palo Alto Health Care System (Andrea Finlay)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSAs met with Andrea Finlay on 3/18/2015 in order to give guidance on Translational Crim. Solicitation (Solicitation closed 4/9/2015) (appt. & email on both SSAs' calendars)	n/a
105.	K. Browning	n/a (Researcher-Practitioner Partnership (RPP) app)	Valparaiso University (Amanda D. Zelechowski)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with Amanda Zelechowski on 4/14/2015 to discuss RPP app (RPP Solicitation closed 4/20/2015) - applicant provided abstract to SSA (appt. & abstract are both accessible on SSA's calendar)	n/a
106.	E. Martin	2012-IJ-CX-0035	Vera Institute of Justice	1/1/2013; 6/30/2015	\$355,296	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Q&A doc 7/3/2012	DJ Davis
107.	N. Frederique	2012-R2-CX-0009	Vera Institute of Justice	1/1/2013; 12/31/2015	\$485,625	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 27 pages total - 8 pgs. of Q&A and 19 pgs. of Attachments - uploaded on 8-3-2012	DJ Davis
108.	B. Backes	2012-WG-BX-0050	Vera Institute of Justice	1/1/2013; 10/31/2015	\$455,177	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4-10-2014 Change of Scope Emails in GMS Reference Pre-Award Communication (includes NIJ asking Grantee to add comparison analyses)	L Bright
109.	K. Browning	2014-IJ-CX-0030	Vera Institute of Justice	1/1/2015; 12/31/2017	\$399,861	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 pg. Response Doc Uploaded 7-31-2014 - "Thank you for your request for clarification"	L Bright

110.	L. Truitt	2015-IJ-CX-0012 (Researcher-Practitioner Partnership (RPP) grant award)	Vera Institute of Justice	1/1/2016; 6/30/2018	\$500,407	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 4 RPP apps with pre-award communication (3 of 4 contacted were awarded); SSA sent list of 5 questions to applicant on 7-6-2014; Applicant responded with 3 page response document on 7-7-2015; SSA uploaded documents to GMS on 7-13-2015 and added a note; Pre-award communication is outlined in detail on Funding Table attached to Funding Memo; Funding Memo signed by NIJ Dir. on 7-30-2015	DJ Davis
111.	N. Frederique	2015-VF-GX-0112 (Victims of Crime grant award)	Vera Institute of Justice	1/1/2016; 12/31/2018	\$578,816	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 4 grant awards from Victims of Crime Solicitation, 1 of 2 with pre-award communication; SSA emailed applicant on 8-13-2015 with 3 questions asking them to expand the scope of their project and provide new application materials (SF424, abstract, budget, & prog. narr.); Applicant sent response emails on 8-17-2015 and 8-18-2015 with 2 page response document & new applicant docs attached; Pre-award communication & new applicant docs uploaded to GMS on 8-18-2015 with note stating expanded scope were requested by NIJ Director during Director's briefing on 8-13-2015; Funding Memo signed by NIJ Deputy Dir. on 8-18-2015	DJ Davis
112.	D. Blachman-Demner	2014-CK-BX-0009	Virginia Commonwealth University	1/1/2015; 12/31/2018	\$2,660,933	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Email Q&A Between SSA and Applicant Dated 7-22-2014, 7-23-2014 and Uploaded 7-24-2014	L Bright
113.	N. Frederique & E. Martin	n/a (Translational Criminology App)	Washington Univ. in St. Louis (Stacey McCrary)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSAs had a "phone discussion re: NIJ-2015-4027" (i.e., Translational Crim. Solicitation) on 4/1/2015 (appt. listed on both SSAs' calendars)	n/a
114.	K. Browning (& B. Backes)	2011-DN-BX-0001	Wayne County Prosecutor's Office (Sexual Assault Kit (SAK) Grant)	4/1/2011; 3/31/2015 (includes 2011 & 2012 Supps.)	\$1,515,000 (includes \$800,000 2011 Supp. & \$515,000 2012 Supp.)	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA Contacted Grantee Pre-Award about Authorized Rep (Contact dated 3-18-2011); Funding Memo Mentions Pre-Award Phone Call - Grant uses 2010 Funding with Emails Between OGC, NIJ, and OCFO about Use of Carryover Funds; Grant Has Possible Supplanting	L Bright

115.	B. Backes	2015-IJ-CX-0009 (Campus Assault grant award)	Wellesley College	1/1/2016; 12/31/2017	\$555,677	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA contacted applicant and applicant responded with 5 page response document on 7-12-2015; SSA uploaded response document to GMS on 7-15-2015; SSA added a note in GMS on 7-15-2015 which states: "Attached applicant responses to additional NIJ questions;" Funding memo signed 7-20-2015	DJ Davis
116.	B. Backes	2013-ZD-CX-0001	Yale University	1/1/2014; 12/31/2017	\$1,899,856	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Funding Table Mentions Extensive Pre-Award Communication - Lowest Ranked App Out of 7 by PRs, Only App with Pre-Award Communication Referenced in Funding Table	L Bright
117.	D. Blachman-Demner	n/a	YEARS	n/a	n/a	Pre-Award Communication - SSA met with ACF on 3/9/2015 to discuss "YEARS response to clarification questions" (appt. listed on SSA's calendar)	n/a
			Total Grant Award Amount		\$61,833,061		

APPENDIX 2							
- Pre-Award Communication on 2014 and Earlier ORE Grants -							
Line #	SSA Name(s)	Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	SSA Action(s)	GM
1.	L. Truitt	2013-MU-CX-0057	Advocates for Human Potential (AHP)	1/1/2014; 6/30/2015	\$399,836	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 18 pgs. of Q&A over 4 times (NIJ questions asked multiple sets of questions, grantee answered 7/18/2013, 7/19/2013, 7/29/2013, and 7/30/2013); Falsified Funding Table; Post-Award Direction (presentation, video conferencing, mandatory mtgs., travel); 2015 OCFO Audit & EPDR Findings: grantee paid salary of BJA grant personnel with NIJ grant funds - \$13,000 disallowed (see 2015 EPDR findings)	C Girouard
2.	A. Moore	2013-PJ-BX-K001	Allison Brooks	11/1/2013; 1/31/2015	\$117,001	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 pg. Q&A entitled "Request for Additional Information" - Dated 7-29-2013, Uploaded 8-2-2013	N Kenon
3.	C. Crossland	2014-MU-MU-K001	American Indian Development Associates, LLC (AIDA)	1/1/2015; 9/30/2016	\$958,045 (\$421,104 orig., \$536,941 Supp.)	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 9 documents including 8 page Q&A doc; COI (Co-Presenters); Post-Award - Subcontractor Direction (along with D. Blachman-Demner)	DJ Davis
4.	P. Wyrick	2014-CK-BX-0016	Arizona Department of Education	1/1/2015; 12/31/2017	\$4,999,442	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Uploaded by L Bright on 9-3-2014, dated 8-29-2014 ("We appreciate the opportunity to clarify and expand on several components of our proposal"), Email exchange between NIJ and applicant dated 8-29-2015 (not uploaded to GMS)	L Bright
5.	M. Moses	2014-IJ-CX-0026	Arizona State University	1/1/2015; 12/31/2017	666,268	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA emailed applicant on 7-28-2015 and received a 5-page, single-spaced response document from the applicant dated 7-29-2015; SSA uploaded response document to GMS on 7-30-2015; No justification provided in funding table for funding of project (funding memo signed 7-28-2015)	DJ Davis

6.	C. Mulford	2014-MU-CX-0006	Board of Regents, University of Nebraska, University of Nebraska-Lincoln	1/1/2015; 12/31/2017	\$641,614	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 7 Docs Uploaded by SSA Pre-Award (on 7-22-2014), including 2 Docs of Q&A (one dated 7-2-2014, another dated 7-6-2014); SSA's 7-2-2014 Q&A email includes a question about increasing incentives ("The size of the incentives to probationers was raised by the review panel. If my math is correct, it seems that each probationer will be compensated up to \$30 if he/she participates in all 6 planned inter views. This seems quite low. Perhaps raising that amount to something between \$60 and \$100 would be more in line with other similar research that we fund.")	L Bright
7.	D. Blachman-Demner	2013-VA-CX-0008	Board of Trustees of the University of Illinois	11/1/2013; 10/31/2016	\$662,993	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 pg. Q&A Doc Uploaded 7-17-2013	L Bright
8.	C. Mulford	2013-VA-CX-0003	Boston Medical Center Corporation (BMC)	1/1/2014; 12/31/2016	\$787,595	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 pg. Q&A Doc - Dated 7-7-2013, uploaded 7-17-2013	C Girouard
9.	B. Backes	2013-MU-CX-0038	California State University, Fullerton	1/1/2014; 12/31/2016	\$925,190	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 of 4 VAW 2013 Awards with Pre-Award Contact - 2 pg. Q&A Doc - Re Adding Interviews at NIJ's Request - Dated 7-23-2013, uploaded 7-25-2013	C Girouard
10.	N. Frederique	2013-R2-CX-0009	Florida State University	1/1/2014; 12/31/2016	\$495,329	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 Docs Uploaded Pre-Award by DJD on 8-13-2013 (following Director's briefing - docs include email from OGC and 2 response docs from applicant - requiring custom special condition)	L Bright
11.	B. Auchter	2010-IJ-CX-0015	Fund for the City of New York, Center for Court Innovation (CCI)	10/1/2010; 9/30/2015 (including 2011 Supplement)	\$2,000,000 (includes \$1,500,000 2011 Supplement)	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Note in GMS States SSA Requested Changes in Project Timeline - SSA Uploaded 3 Revised Docs Pre-Award (Timeline, SF424, & Program Narr.) Uploaded on 7-26-2010; Grant is over 5 years past its award date	L Bright

12.	N. Frederique (L. Truitt & A. Moore)	2012-IJ-CX-0036	Fund for the City of New York, Center for Court Innovation (CCI)	1/1/2013; 3/31/2017	\$1,000,000	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4 Docs Uploaded Pre-Award by A. Moore on 8-6-2012 (including a 16 pg. response doc addressed to L. Truitt, dated 6-29-2012)	N Frederique
13.	N. Frederique	2012-R2-CX-0008	Georgetown University	1/1/2013; 6/30/2015	\$510,953	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 5 Docs Uploaded Pre-Award (includes Response Doc Dated 7-19-2012 & Emails with App Dated 7-30-2012)	N Frederique
14.	D. Blachman-Demner	2014-VF-GX-0001 (Office for Victims of Crime (OVC) Vision 21 grant award)	ICF Incorporated, LLC	1/1/2015; 3/31/2016	\$499,994	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - S Irazola applied for ORE Director Position (6-15-2014); App Docs (with S Irazola) Dated 7-3-2014; 4 Docs Uploaded by SSA Pre-Award (Dated 8-6-2014, Uploaded 8-12-2014) - Includes 15 pg. Response Doc w/ CVs of S. Irazola Replacements; Award Date 9-18-2014; S. Irazola's first day in NIJ 9-22-2014; GAN replacing S Irazola as POC 1-6-2015	L Bright
15.	P. Wyrick (& P. Clark)	2013-R2-CX-0001	International Association of Chiefs of Police, Inc. (IACP)	10/1/2013; 9/30/2015	\$500,000	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4 Docs Uploaded Pre-Award by P. Clark on 7-26-2013 with 7-23-2013 Note (includes revised Prog. Narr, Budget Docs, and SF-424)	L Bright
16.	K. Browning	FY13 Social Science Research on Forensic Science	n/a	n/a	\$1,495,125	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 6 of 15 applications on funding table indicate Pre-Award Communication	n/a
17.	C. Mulford	2010-MU-MU-0008	National Opinion Research Center at the University of Chicago (NORC)	1/1/2011; 12/31/2015	\$807,256	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 Docs Uploaded by SSA Pre-Award (Uploaded 7-21-2010 & 7-28-2010) - No Explanation Given in GMS or on Funding Memo of Project Revisions; Grant is over 5 years past its award date	L Bright

18.	C. Mulford (D. Blachman-Demner & B. Backes Pre-Award)	2014-VA-CX-0065	National Opinion Research Center at the University of Chicago (NORC)	1/1/2015; 12/31/2017	\$998,989 (\$351,825 orig., \$648,164 Supplement)	Pre-Award Communication (Solicitation Open, Solicitation Closed & Pre- and Post-Peer Review) - SSA (Backes) met with Consultant (P. Giordano) prior to solicitation closing (Meeting on 3-24-2014, solicitation closed 4-25-2014); SSA (Blachman-Demner) requested and uploaded 3 docs pre-award (required staff list uploaded 5-8-2014; revised budget and SF424 uploaded 7-30-2014); Other Issues - App ranked lower than 5 other apps not funded (including one which said it would have been funded if funds were available); See Line 7 of Post-Award Dir. Spreadsheet (i.e., 2015 supplement award offered and awarded on this grant even though less than \$5k obligated as of 6/30/2015)	L Bright
19.	B. Backes	2011-WG-BX-0002	New York University	2/1/2012; 1/31/2016	\$275,000	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 Q&A Docs with Emails - Dated 7-27-2011, uploaded 8-2-2011	C Girouard
20.	L. Truitt	2010-RY-BX-0001	Northwest Professional Consortium, Inc.	1/1/2011; 7/31/2016	\$2,988,850	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 34 pg. Response Doc Uploaded 7-16-2010; Grant is over 5 years past award date	L Bright
21.	D. Blachman-Demner & C. Mulford	2012-R2-CX-0012	Pennsylvania State University	5/1/2013; 4/30/2016	\$426,181	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Q&A, Letter from Subcontract, Budgets adding GRAs and "additional group"	DJ Davis
22.	A. Moore	2012-IJ-CX-0041	Policy Research Associates, Inc.	1/1/2013; 3/31/2015	\$342,737	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Q&A Doc - Uploaded by A Moore on 8/6/2012	DJ Davis
23.	L. Truitt	2013-R2-CX-0010	Public Policy Institute of California	1/1/2014; 12/31/2016	\$495,951	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Email Q&A Between SSA and Applicant Dated 7-23-2013 and Uploaded 8-2-2013	L Bright
24.	E. Martin	2014-IJ-CX-0005	RAND	1/1/2015; 12/31/2015	\$494,447	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 5 pg. Q&A Doc - uploaded on 7-30-2014	C Girouard
25.	N. Frederique	2013-IJ-CX-0027	RAND	1/1/2014; 12/31/2015	\$334,998	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 pg. Q&A Email Responding to Reviewer Suggestions - Dated and Uploaded 7-29-2013	C Girouard

26.	B. Backes	2013-NE-BX-0004	Rector and Visitors of the University of Virginia	1/1/2014; 12/31/2015	\$253,561	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4 of 4 VAW 2013 Awards with Pre-Award Contact (all 4 funded) - See VAW 2013 Funding Memo/Table	L Bright
27.	M. Garcia	2012-AW-BX-0153	Regents of the University of Minnesota	1/1/2013; 12/31/2017	\$1,496,090	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 pg. Response Doc Dated 7-31-2012, Uploaded 8-6-2012	L Bright
28.	D. Blachman-Demner	2011-WG-BX-0013	Research Foundation of City University of New York (CUNY), John Jay College	1/1/2012; 10/31/2015 (Includes 2014 Supplement)	\$467,587 (includes 2014 \$155,620 Supp.)	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 Docs Uploaded Pre-Award (Including Q&A Doc Dated 7-5-2011, Uploaded by SSA on 8-2-2011)	D Blachman-Demner
29.	M. Moses (& A. Moore)	2012-MU-MU-0048	Research Foundation of State University of New York (SUNY)	1/1/2013; 12/31/2015	\$706,943	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - M. Moses Uploaded 5 Docs Pre-Award on 7-26-2012 - A. Moore Uploaded Response Doc on 8-6-2012	L Bright
30.	N. Frederique (& B. Chapman)	2014-IJ-CX-0027	Research Foundation of State University of New York (SUNY), University at Albany	1/1/2015; 12/31/2016	\$381,402	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Revised 51 pg. Program Narr. Uploaded by B. Chapman on 8-22-2014	L Bright
31.	B. Backes	2014-VA-CX-0067	Research Foundation of State University of New York (SUNY), University at Buffalo	1/1/2015; 12/31/2015	\$288,152	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 8-1-2014 Email Between SSA & Grantee "per our conversation"	L Bright
32.	M. Garcia	2012-RY-BX-0001	Research Triangle Institute (RTI)	1/1/2013; 6/30/2016	\$3,534,589	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 18 pg. Q&A Doc "Response to Reviewer Comments" - Dated 7-30-2012, uploaded 8-6-2012	C Girouard
33.	C. Mulford	2013-IJ-CX-0026	Scripps College	1/1/2014; 12/31/2015	\$136,290	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 pg. Q&A Doc - Uploaded 7-25-2013	N Kenon
34.	M. Garcia	2012-IJ-CX-0034	South Carolina Research Foundation	1/1/2013; 12/31/2015	\$498,707	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4 docs uploaded pre-award, including 2 pg. "Application Supplement" which states: "In accord with the excellent suggestion provided by peer reviewers and/or NIJ staff, our project team will expand the scope of work" - all 4 docs uploaded 7-5-12	DJ Davis

35.	B. Chapman	2011-IJ-CX-0007	Southern Illinois University	1/1/2012; 4/30/2015	\$395,481	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Consultant Rate Waiver - 8/2/2011	DJ Davis
36.	K. Browning	2014-IJ-CX-0037	Texas State University	1/1/2015; 1/31/2017	\$389,690	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 7 pg. Response Doc Uploaded 7-31-2014	L Bright
37.	B. Backes	2013-VA-CX-0044	Trustees of Indiana University	1/1/2014; 12/31/2017	\$763,686	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 of 4 VAW 2013 Awards with Pre-Award Contact (all 4 funded)	L Bright
38.	B. Backes	2013-VA-CX-0044	Trustees of Indiana University	1/1/2014; 12/31/2017	\$763,686	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 pg. Addendum Doc with First Sentence: "In response to suggestions offered by the NIJ Program Officer" Uploaded 7-25-2013	L Bright
39.	C. Crossland	2012-PJ-BX-K001	University of Alaska, Anchorage	5/1/2012; 4/30/2015	\$493,357	Pre-Award Communication - Non-competed Invitation Visiting Fellowship - Pre-Award Docs Include Emails Between ML Leary & OCFO Allowing Use of Previous Year's Funds Despite \$43Mil. Rescission	C Crossland
40.	D. Blachman-Demner	2013-R2-CX-0007	University of Arkansas at Little Rock	1/1/2014; 1/31/2016	\$161,551	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4 Pre-Award Docs Uploaded on 7-17-2013 through 7-30-2013 (including 13 pg. "clarification" doc uploaded 7-17-2013)	L Bright
41.	D. Blachman-Demner	2013-IJ-CX-0029	University of California, Berkeley	1/1/2014; 12/31/2016	\$456,606	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 pg. Q&A Doc - Uploaded 7-17-2013	C Girouard
42.	D. Blachman-Demner	2013-IJ-CX-0104	University of California, Davis	1/1/2014; 12/31/2016	\$439,989	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 6 pg. Q&A Doc - Dated 7-15-2013, uploaded 7-18-2013	C Girouard
43.	C. Mulford	2013-MU-CX-0032	University of Denver (Colorado Seminary)	3/1/2014; 6/30/2017	\$622,283	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 pg. Q&A Doc - Dated 7-11-2013, uploaded 7-25-2013	C Girouard

44.	C. Crossland (& B. Backes)	2010-WG-BX-0009	University of Iowa	1/1/2011; 3/31/2016	\$823,822	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 page Q&A doc dated 7/1/2010 - Additional Power Analysis and other docs requested and uploaded by SSA on 7/16/2010 - Post-Award Interference from SSA and ORE Director -2014 EPDR findings and Corrective Action Plan, including mismanagement and lack of safeguarding of gift card incentives, negated by ORE management at SSA insistence and grant reassigned from DJ Davis to L Bright	L Bright
45.	M. Garcia	2013-IJ-CX-0028	University of Massachusetts, Lowell	1/1/2014; 9/30/2015	\$233,307	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 10 pg. Q&A Doc - Dated 7-15-2013, uploaded 7-16-2013	C Girouard
46.	M. Garcia	2014-AW-BX-K003	University of Massachusetts, Lowell	1/1/2015; 12/31/2017	\$1,000,000	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 Docs Uploaded Pre-Award (includes Email and 10 pg. Response Memo)	L Bright
47.	B. Backes	2014-VA-CX-0012	University of New Hampshire	1/1/2015; 12/31/2016	\$579,301	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA directed applicant to add Incentives pre-award (not uploaded to the file, supplied by grantee, email dated 6-24-2014)	C Girouard
48.	D. Blachman-Demner	2012-IJ-CX-0024	University of New Hampshire	1/1/2013; 6/30/2015	\$608,210	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Doc Uploaded 7-30-2012 - Note in GMS states "Per NIJ request, applicant provided information about the make-up of the sample who agreed to be recontacted"	L Bright
49.	C. Mulford	2013-IJ-CX-0025	University of Southern California	1/1/2014; 6/30/2016	\$518,327	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Program Narrative and other Docs revised and uploaded 7/25/2013 - note in GMS revisions were "based on reviewer suggestions"	DJ Davis
50.	J. Hunt	2014-R2-CX-0009	University of Texas at El Paso (UTEP)	1/1/2015; 12/31/2017	\$363,848	Pre-Award Communication (Solicitation Open) - On 4-14-2014 then applicant contacted SSA and asked whether incentives for parolees were allowable, SSA's response: the incentives were "perfectly fine;" Solicitation closed 5-5-2014; Pre-award communication was not uploaded to GMS but provided by grantee to GM after award was made and allowability of incentives questioned; Email with SSA's pre-award communication received and forwarded to NIJ Deputy Director 1-14-2015	DJ Davis

51.	C. Mulford	2013-IJ-CX-0050	University of Texas Health Science Center at Houston	5/1/2014; 4/30/2016	\$387,736	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 8 Docs Uploaded Pre-Award (including Q&A Doc Uploaded 7-25-2013); Funding Memo/Table lists numerous pre-award communication and was signed by AAG Karol Mason	L Bright
52.	D. Blachman-Demner	2014-R2-CX-0020	University of Utah	1/1/2015; 12/31/2018	\$815,031	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 5 Docs Uploaded by SSA Pre-Award (Uploaded 7-24-2014 and 7-28-2014); Funding Memo References Pre-Award Communication Between SSA & Grantee - 2 Other Apps with Higher Scores Not Funded - This Was Only App with Pre-Award Communication - See CEV 2014 Funding Memo/Table	L Bright
53.	D. Blachman-Demner	n/a	Unknown Grantee Org.	n/a	n/a	Pre-Award Communication - SSA had a "call with applicant" on 3/6/2014 (appt. on SSA's calendar)	n/a
54.	C. Mulford	n/a	Unknown Grantee Org.	n/a	n/a	Pre-Award Communication - SSA had a "call with applicant" on 3/14/2014 (appt. on SSA's calendar)	n/a
55.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Elizabeth Englander)	n/a	n/a	Pre-Award Communication - SSA had a "call with applicant Elizabeth Englander" on 3/10/2014 (appt. on SSA's calendar)	n/a
56.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Hui Hang)	n/a	n/a	Pre-Award Communication - SSA had a "call with applicant (Hui Hang)" on 3/12/2014 (appt. on SSA's calendar)	n/a
57.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Miguel Villodas)	n/a	n/a	Pre-Award Communication - SSA had a "call with applicant Miguel Villodas" on 3/20/2014 (appt. on SSA's calendar)	n/a
58.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Ruby)	n/a	n/a	Pre-Award Communication - SSA had a "call with potential applicant (Ruby)" on 3/10/2014 (appt. on SSA's calendar)	n/a
59.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Sandra Smith)	n/a	n/a	Pre-Award Communication - SSA had a "call with Sandra Smith (potential applicant)" on 3/13/2014 (appt. on SSA's calendar)	n/a
60.	K. Browning	2014-IJ-CX-0002	Urban Institute	1/1/2015; 12/31/2017	\$569,702	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 5 pg. Q&A Doc - dated 7-24-2014, uploaded 7-31-2014	C Girouard
61.	L. Truitt	2014-IJ-CX-0015	Urban Institute	1/1/2015; 12/31/2017	\$499,989	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 3 pg. Q&A Doc - dated and	C Girouard

						uploaded 7-30-2014	
62.	E. Martin	2013-IJ-CX-0004	Urban Institute	1/1/2014; 10/31/2016	\$367,894	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Revised Prog. Narr. With 2 pg. Q&A Doc; FY13 SSRFS Funding Table Includes Reference to Pre-Award Communication - Dated 7-11-2013, uploaded 7-16-2013	C Girouard
63.	M. Garcia	2013-AW-BX-0053	Urban Institute	1/1/2014; 12/31/2016	\$999,984	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 13 pg. Revised Research Plan Requested by NIJ and Uploaded 8-8-2013	C Girouard
64.	E. Martin	2012-R2-CX-0001	Urban Institute	1/1/2013; 2/29/2016	\$689,507	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4 pg. Q&A Doc - Dated 7-24-2012, uploaded 8-7-2012	C Girouard
65.	B. Backes	2013-VA-CX-0033	Urban Institute	1/1/2014; 6/30/2016	\$649,776	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 4 VAW 2013 Awards with Pre-Award Contact (all 4 funded) - See VAW 2013 Funding Memo/Table	C Girouard
66.	E. Martin	2012-IJ-CX-0035	Vera Institute of Justice	1/1/2013; 6/30/2015	\$355,296	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Q&A doc 7/3/2012	DJ Davis
67.	N. Frederique	2012-R2-CX-0009	Vera Institute of Justice	1/1/2013; 12/31/2015	\$485,625	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 27 pages total - 8 pgs. of Q&A and 19 pgs. of Attachments - uploaded on 8-3-2012	DJ Davis
68.	B. Backes	2012-WG-BX-0050	Vera Institute of Justice	1/1/2013; 10/31/2015	\$455,177	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 4-10-2014 Change of Scope Emails in GMS Reference Pre-Award Communication (includes NIJ asking Grantee to add comparison analyses)	L Bright
69.	K. Browning	2014-IJ-CX-0030	Vera Institute of Justice	1/1/2015; 12/31/2017	\$399,861	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 2 pg. Response Doc Uploaded 7-31-2014 - "Thank you for your request for clarification"	L Bright
70.	D. Blachman-Demner	2014-CK-BX-0009	Virginia Commonwealth University	1/1/2015; 12/31/2018	\$2,660,933	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Email Q&A Between SSA and Applicant Dated 7-22-2014, 7-23-2014 and Uploaded 7-24-2014	L Bright

71.	K. Browning (& B. Backes)	2011-DN-BX-0001	Wayne County Prosecutor's Office (Sexual Assault Kit (SAK) Grant)	4/1/2011; 3/31/2015 (includes 2011 & 2012 Supps.)	\$1,515,000 (includes \$800,000 2011 Supp. & \$515,000 2012 Supp.)	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA Contacted Grantee Pre-Award about Authorized Rep (Contact dated 3-18-2011); Funding Memo Mentions Pre-Award Phone Call - Grant uses 2010 Funding with Emails Between OGC, NIJ, and OCFO about Use of Carryover Funds; Grant Has Possible Supplanting	L Bright
72.	B. Backes	2013-ZD-CX-0001	Yale University	1/1/2014; 12/31/2017	\$1,899,856	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - Funding Table Mentions Extensive Pre-Award Communication - Lowest Ranked App Out of 7 by PRs, Only App with Pre-Award Communication Referenced in Funding Table	L Bright
			Total Grant Award Amount		\$52,951,626		

APPENDIX 3							
- Pre-Award Communication on 2015 ORE Grants -							
Line #	SSA Name(s)	Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	SSA Action(s)	GM
1.	N. Frederique & L. Truitt	n/a (Justice Systems Research app)	American University (Preeti Menon)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSAs met with Preeti Menon "on IDS" on 3/11/2015 - appt. states discussion pertains to Justice Systems Research Solicitation (appt. & email on both SSAs' calendars); Justice Systems solicitation open 1/14/2015 to 4/14/2015	n/a
2.	K. Browning	2015-IJ-CX-0013 (Researcher-Practitioner Partnership (RPP) grant award)	Arizona State University	1/1/2016; 12/31/2017	\$369,928	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 4 RPP apps with pre-award communication (3 of 4 contacted were awarded); SSA sent single question to applicant on 7-8-2014; Applicant asked SSA about length and format for her response on 7-9-2015; SSA replied on 7-10-2015 stating the response document "does not need to be extensive;" Applicant responded with 3 page response document on 7-14-2015; SSA uploaded documents to GMS on 7-14-2015; Pre-award communication is outlined in detail on Funding Table attached to Funding Memo; Funding Memo signed by NIJ Deputy Dir. on 7-30-2015	DJ Davis
3.	K. Browning	2015-IJ-CX-0011 (Researcher-Practitioner Partnership (RPP) grant award)	Ball State University	1/1/2016; 12/31/2018	\$388,478	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 4 RPP apps with pre-award communication (3 of 4 contacted were awarded); SSA sent 6 questions to applicant on 7-8-2014; Applicant responded with 4 page response document on 7-14-2015; SSA uploaded documents to GMS on 7-14-2015; Pre-award communication is outlined in detail on Funding Table attached to Funding Memo; Funding Memo signed by NIJ Deputy Dir. on 7-30-2015	DJ Davis
4.	E. Martin & K. Browning	n/a (Researcher-Practitioner Partnership (RPP) app)	Catholic University of America (Melissa Grady)	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - E. Martin met with Melissa Grady on 11/6/2014 and K. Browning met with her on 11/25/2014 to discuss upcoming 2015 RPP application (appts. on both SSAs' calendars & email also on K. Browning calendar); RPP Solicitation open 1/14/2015 to 4/20/2015	n/a

5.	D. Blachman-Demner, N. Frederique, & E. Martin	2015-R2-CX-0014 (Translational Criminology grant award)	Child Trends, Inc.	1/1/2016; 12/31/2017	\$200,000	Pre-Award Communication (Solicitation Open, Solicitation Closed & Post-Peer Review) - N. Frederique & E. Martin met with applicant on 3/26/2015 and D. Blachman-Demner met with applicant on 3/30/2015 (Translational Crim. Solicitation closed 4/9/2015) - appts. listed on all 3 SSAs' calendars; SSA (D. Blachman-Demner) sent questions to applicant on 6-12-2015 (appears to be 1 of only 2 applicants to be contacted from Translational Solicitation, both funded), Rec'd 8 page response doc from applicant on 6-15-2015, Uploaded to GMS on 6-22-2015; Funding Memo Routing Slip dated 7-13-2015; Funding Table lists applicant's responses as one reason why application was funded	N Kenon
6.	E. Martin	2015-IJ-CX-0015 (Justice Systems grant award)	Curators of the University of Missouri on Behalf of UMSL	1/1/2016; 12/31/2018	\$564,733	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA contacted applicant and applicant responded with 3 page response document on 7-8-2015 (entitled "Responses to NIJ Questions"); 1 of 3 applicants contacted from JS Solicitation (2 of 3 contacted were funded); Response doc uploaded by SSA to GMS on 7-13-2015; Pre-award communication included on signed funding table as part of reasons app was funded (table signed by NIJ Deputy Dir.); Funding memo signed by NIJ Dir. on 7-27-2015	DJ Davis
7.	K. Browning	n/a	Fairleigh Dickinson University (Amy Shlosberg)	n/a	n/a	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA met with Amy Shlosberg to discuss grant application on 6/24/2015 (appt. & email on SSA's calendar)	n/a
8.	K. Browning	n/a (Researcher-Practitioner Partnership (RPP) app)	Florida International University (Lindsay Malloy)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with Lindsay Malloy on 3/3/2015 (same day SSA was Acting Division Director) to discuss "substantive questions" regarding RPP Solicitation (appt. & email on SSA's calendar)	n/a

9.	K. Browning	2015-R2-CX-K041 (Sentinel Events grant award)	Michigan State University	1/1/2016; 12/31/2018	\$724,294	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 2 apps for FY15 Sentinel Events solicitation with pre-award communication (both awarded); Pre-award communication included on Funding Table and Uploaded to GMS; SSA emailed 4 clarifying questions to applicant on 7-27-2015; 5 page response doc emailed by applicant, dated 7-29-2015, and uploaded by SSA to GMS on 7-30-2015; Extensive detail about pre-award communication included on Funding Table, attached to Funding Memo; Funding Memo signed by NIJ Dir. on 7-30-2015	C Girouard
10.	L. Truitt	2015-VV-BX-K020 (Justice Systems grant award)	Missouri State University	1/1/2016; 12/31/2018	\$761,231	Pre-Award Communication (Solicitation Open, Solicitation Closed & Post-Peer Review) - Group from Applicant Org visited NIJ March 2014, hosted by L. Truitt (Justice Systems Solicitation open 1/15/2015 to 4/15/2015); SSA (Truitt) did not recuse herself from app review and contacted applicant and applicant responded with 7 page response document on 7-9-2015; 1 of 3 applicants contacted from JS Solicitation (2 of 3 contacted were funded); Response doc uploaded by SSA to GMS on 7-13-2015 and SSA included note in GMS about the pre-award communication; Pre-award communication included on signed funding table as part of reasons app was funded (table signed by NIJ Deputy Dir.); Funding memo signed by NIJ Dir. on 7-27-2015; Grantee contacted NIJ GM 10-19-2015 expressing confusion over pre-award communication and project requirements (i.e., whether original app. proposal or proposed pre-award changes were required); GM emailed NIJ Dir., NIJ Deputy Dir., and ORE Dir. on 10-20-2015, re: grantee's question; ORE Dir. replied via email on 10-20-2015, stating info in orig. app. should be used; 12-8-2015 grantee submitted Sole Source GAN referring to pre-award communication & stating NIJ directed subcontractor selection	DJ Davis
11.	L. Truitt, K. Browning, B. Backes, A. Moore, & S. Irazola	n/a (Researcher-Practitioner Partnership (RPP) app)	n/a	n/a	n/a	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSAs, Division Director, & ORE Director met on 7/16/2015 to discuss "RPP responses" from clarifying questions sent to RPP applicants (appt. is on all participants' calendars)	n/a

12.	N. Frederique & D. Blachman-Demner	2015-R2-CX-0004 (Children Exposed to Violence (CEV) grant award)	National Children's Advocacy Center (NCAC)	1/1/2016; 12/31/2018	\$755,136	<p>Pre-Award Communication (Solicitation Open, Solicitation Closed & Post-Peer Review) - N. Frederique was invited by Sherry Hamby at Life Paths Appalachian Research Center (LPARC) at Sewanee University to visit their site 4-14-2015 to 4-17-2015 (trip to be paid in full by LPARC); CEV solicitation closed 4-8-2015; Trip was included on SSA's calendar, with embedded email, until removed at last minute; Over \$300k going to subcontractor LPARC (Co-PI, Sherry Hamby) over all years of grant and \$5850 going to other LPARC staff member (J. Grych) as consultant on grant; S. Hamby served on NIJ 2014 Standing Peer Review Panel; D. Blachman-Demner sent questions to subcontractor LPARC/S. Hamby (NOT applicant) and received response on 7-10-2015 (appears to be only application w/ pre-award contact from CEV Solicitation), Response doc uploaded to GMS on 7-13-2015; Funding Memo signed 7-16-2015; Funding Table lists applicant's responses as a "satisfactory" response</p>	DJ Davis
13.	K. Browning & C. Mulford	2015-VF-GX-0110 (Victims of Crime grant award)	National Opinion Research Center at Univ. of Chicago (NORC)	1/1/2016; 7/31/2018	\$998,044	<p>Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 4 grant awards from Victims of Crime Solicitation, 1 of 2 with pre-award communication; Point of Contact/PI on this application/award (Elizabeth Mumford) is same person who met with SSA (K. Browning) on 2-19-2015 (see Line 14 below); SSA (C. Mulford) emailed applicant on 8-10-2015 with 3 questions based on "issues raised by the peer review panel;" Applicant sent 5 page response document on 8-11-2015; C. Mulford emailed applicant a second time on 8-13-2015 asking them to expand the scope of their project & provide new application materials (SF424, abstract, budget, budget narr., & proj. narr.); Applicant sent response email on 8-18-2015 with 6 new applicant docs attached; New uploaded prog. narr. includes cover letter stating it "addressed concerns raised in peer review;" Pre-award communication & new applicant docs uploaded by C. Mulford to GMS on 8-18-2015 & 8-19-2015 with note stating expanded scope were requested by NIJ Director during Director's briefing on 8-13-2015; Funding Memo signed by NIJ Deputy Dir. on 8-18-2015</p>	DJ Davis

14.	K. Browning	n/a (Researcher-Practitioner Partnership (RPP) app)	National Opinion Research Center at Univ. of Chicago (NORC) (Elizabeth Mumford)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with Elizabeth Mumford to discuss RPP application on 2/19/2015 (appt. & email on SSA's calendar)	n/a
15.	L. Truitt	n/a (Data Resource Program (DRP) app)	North Carolina State University (Candalyn Rade)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with Candalyn Rade with NC State to discuss "re DRP" on 4/10/2015 and 4/15/2015 (appts. on SSA's calendar)	n/a
16.	D. Blachman-Demner	2015-R2-CX-0003 (Children Exposed to Violence (CEV) grant award)	Oregon Social Learning Center	1/1/2016; 12/31/2017	\$407,802	Pre-Award Communication (Solicitation Open, Solicitation Closed & Post-Peer Review) - SSA met with "applicant Ernie Jouriles" on 3/23/2015 (appt. listed on SSA's calendar); CEV Solicitation closed 4-8-2015; Ernie Jouriles is a paid consultant on this project's budget; 8-3-2015 SSA email to GM reveals pre-award, SSA discussed co-authoring paper with PI on 2013 grant (same PI as this grant); SSA did not remove herself from 2015 app review and awarding process	DJ Davis
17.	N. Frederique & L. Truitt	n/a (Justice Systems/Veterans' Treatment Courts app)	Pennsylvania State University, Harrisburg (Eileen Ahlin)	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - SSAs met with Eileen Ahlin to discuss Veterans Treatment Courts Solicitation on 1/14/2015 (appt. & email on both SSAs' calendars); Justice Systems Solicitation open 1/15/2015 to 4/15/2015	n/a
18.	D. Blachman-Demner	2015-R2-CX-0016 (Translational Criminology grant award)	RAND	1/1/2016; 12-31-2017	\$198,832	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA sent questions to applicant on 6-12-2015 (appears to be 1 of only 2 applicants contacted pre-award from Translational Solicitation, both funded), Rec'd response from applicant on 6-15-2015, Uploaded to GMS on 6-22-2015; Funding Memo Routing Slip dated 7-13-2015; Funding Table lists responses as one reason why applicant was funded	C Girouard

19.	K. Browning	2015-R2-CX-K040 (Sentinel Events grant award)	The Trustees of the University of Pennsylvania	1/1/2016; 12/31/2018	\$351,052	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 2 apps for FY15 Sentinel Events solicitation with pre-award communication (both awarded); Extensive detail about pre-award communication included on Funding Table, attached to Funding Memo; Funding Table says response document was uploaded to GMS, but it was not; Funding Memo signed by NIJ Dir. on 7-30-2015; Email was sent out 6/30/2015 with attached "ORE Redbook Process" document, that policy document stated no COI if former NIJ Director Greg Ridgeway was on a FY15 award (which he is here), this same statement was cut and pasted to Sentinel Events Funding Table along with praise for the applicant's "exceptional understanding of all aspects of Sentinel Event Reviews" (G. Ridgeway was Acting NIJ Dir. in 2014, presiding over inaugural year of Sentinel Event awards)	L Bright
20.	L. Truitt	n/a (Researcher-Practitioner Partnership (RPP) app)	University of California, San Diego (Simmes & Feiler)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with Simmes and Feiler on 3/31/2015 to discuss RPP (RPP Solicitation closed 4/20/2015) (appt. on SSA's calendar)	n/a
21.	M. Garcia	n/a (Justice Systems Research (JSRD) app)	University of Memphis (Catherine Simmons)	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - SSA met with "JSRD applicant conference call (9 am est) - Catherine Simmons, Univ of Memphis" on 12/1/2014 (appt. on SSA's calendar)	n/a
22.	N. Frederique	2015-R2-CX-K127 (Bias Crime grant award)	University of New Hampshire	1/1/2016; 12/31/2017	\$624,638	Pre-Award Communication (Solicitation Open, Solicitation Closed & Post-Peer Review) - SSA was invited by Sherry Hamby at Life Paths Appalachian Research Center (LPARC) at Sewanee University to visit their site 4-14-2015 to 4-17-2015 (trip to be paid in full by LPARC); Bias Crime solicitation closed 4-13-2015; Trip was included on SSA's calendar, with embedded email, until removed at last minute; Approx. \$100k going to subcontractor LPARC (Co-PI, Sherry Hamby) over both years of grant; S. Hamby served on NIJ 2014 Standing Peer Review Panel	DJ Davis

23.	C. Mulford	2015-IJ-CX-0022 (Elder Abuse grant award)	University of North Carolina	1/1/2016; 12/31/2018	\$968,933	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 2 grants awarded on FY15 Elder Abuse Solicitation, both awarded grants were ranked lower (4th and 6th) coming out of Peer Review; This grant (ranked 4th) has pre-award communication doc uploaded to GMS (doc dated 7/15/2015, uploaded 7/22/2015); Pre-award inquiry from NIJ SSA states inquiry is: "Based on an issue raised by the peer review panel"; Funding Memo signed 7/16/2015 by NIJ Director	DJ Davis
24.	B. Backes	2015-VA-CX-0073 (Violence Against Women (VAW) grant award)	University of Washington	1/1/2016; 12/31/2018	\$697,120	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA contacted applicant on 7-10-2015 with 2 questions (Funding Table lists this as the only VAW applicant to be contacted pre-award); Applicant responded on 7-11-2015 with 2 page response document; SSA uploaded response document and note to GMS on 7-15-2015; Applicant responses are included in lengthy details in Funding Table attached to Funding Memo; Funding Memo signed by NIJ Director on 7-30-2015	DJ Davis
25.	E. Martin	n/a (Justice Systems Research (JSRD) Policing app)	Unknown Grantee Org. ("Potential Applicant to JSRD Policing")	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - SSA met with "potential applicant to JSRD Policing" on 12/30/2014 (appt. on SSA's calendar)	n/a
26.	L. Truitt	n/a (Researcher-Practitioner Partnership (RPP)/Justice Systems Research (JSRD) app)	Unknown Grantee Org. (A. Smoyer)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with A. Smoyer to discuss "RPP/JSRD" on 2/2/2015 (RPP Solicitation closed 4/20/2015) (appt. on SSA's calendar)	n/a
27.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Cathy Taylor)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with "applicant Cathy Taylor" on 3/2/2015 (appt. listed on SSA's calendar)	n/a
28.	D. Blachman-Demner & B. Backes	n/a (Violence Against Women (VAW) app)	Unknown Grantee Org. (Dan Saunders)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSAs met with VAW applicant on 3/12/2015 (before solicitation closed) to discuss his resubmission application (appt. listed on both SSAs' calendars)	n/a

29.	D. Blachman-Demner	n/a (Violence Against Women (VAW)/Teen Dating Violence (TDV) app)	Unknown Grantee Org. (Elizabeth Englander)	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - SSA had a "Call with Elizabeth Englander re TDV application" on 12/16/2014 (appt. listed on SSA's calendar); VAW/TDV solicitation open 1/7/2015 to 4/7/2015	n/a
30.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Erin Casey)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with "applicant Erin Casey" on 1/27/2015 (appt. listed on SSA's calendar)	n/a
31.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Hilary Hodgson)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with "applicant Hilary Hodgson" on 3/24/2015 (appt. listed on SSA's calendar)	n/a
32.	M. Garcia & B. Chapman	n/a (Justice Systems Research (JSRD) app)	Unknown Grantee Org. (JSRD applicant)	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - SSAs met with "JSRD applicant" on 1/13/2015 (appt. on both SSAs' calendars); Justice Systems solicitation open 1/14/2015 to 4/14/2015	n/a
33.	M. Garcia	n/a (Justice Systems Research (JSRD) app)	Unknown Grantee Org. (JSRD applicant)	n/a	n/a	Pre-Award Communication (Pre-Solicitation Release) - SSA met with "JSRD applicant conference call" on 11/10/2014 (appt. on SSA's calendar); Justice Systems solicitation open 1/14/2015 to 4/14/2015	n/a
34.	L. Truitt	n/a (Pre-Trial Research app)	Unknown Grantee Org. (KiDeuk Kim)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with KiDeuk Kim on 2/3/2015 to discuss resubmission to Pre-Trial Research Solicitation (appt. & email on SSA's calendar)	n/a
35.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Kristine Campbell)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with "applicant Kristine Campbell" on 1/22/2015 (appt. listed on SSA's calendar)	n/a
36.	L. Truitt	n/a (Researcher-Practitioner Partnership (RPP) app)	Unknown Grantee Org. (Miguel de Figueiredo)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with Miguel de Figueiredo to discuss "re RPP" on 4/7/2015 (RPP Solicitation closed 4/20/2015) (appt. on SSA's calendar)	n/a
37.	L. Truitt	n/a (Researcher-Practitioner Partnership (RPP) app)	Unknown Grantee Org. (R. Nealy)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with R. Nealy to discuss "RPP" on 2/3/2015 (RPP Solicitation closed 4/20/2015) (appt. on SSA's calendar)	n/a

38.	D. Blachman-Demner	n/a	Unknown Grantee Org. (Sarah Dauber)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with "applicant Sarah Dauber" on 2/5/2015 (appt. listed on SSA's calendar)	n/a
39.	N. Frederique	n/a ("Implementation" app)	Unknown Grantee Org. (Steve Wood)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA had a "call with Steve Wood - Implementation Solicitation" on 3/12/2015 (appt. on SSA's calendar)	n/a
40.	N. Frederique & L. Truitt	n/a (Translational Criminology App)	VA Palo Alto Health Care System (Andrea Finlay)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSAs met with Andrea Finlay on 3/18/2015 in order to give guidance on Translational Crim. Solicitation (Solicitation closed 4/9/2015) (appt. & email on both SSAs' calendars)	n/a
41.	K. Browning	n/a (Researcher-Practitioner Partnership (RPP) app)	Valparaiso University (Amanda D. Zelechowski)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSA met with Amanda Zelechowski on 4/14/2015 to discuss RPP app (RPP Solicitation closed 4/20/2015) - applicant provided abstract to SSA (appt. & abstract are both accessible on SSA's calendar)	n/a
42.	L. Truitt	2015-IJ-CX-0012 (Researcher-Practitioner Partnership (RPP) grant award)	Vera Institute of Justice	1/1/2016; 6/30/2018	\$500,407	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 4 RPP apps with pre-award communication (3 of 4 contacted were awarded); SSA sent list of 5 questions to applicant on 7-6-2014; Applicant responded with 3 page response document on 7-7-2015; SSA uploaded documents to GMS on 7-13-2015 and added a note; Pre-award communication is outlined in detail on Funding Table attached to Funding Memo; Funding Memo signed by NIJ Dir. on 7-30-2015	DJ Davis
43.	N. Frederique	2015-VF-GX-0112 (Victims of Crime grant award)	Vera Institute of Justice	1/1/2016; 12/31/2018	\$578,816	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - 1 of 4 grant awards from Victims of Crime Solicitation, 1 of 2 with pre-award communication; SSA emailed applicant on 8-13-2015 with 3 questions asking them to expand the scope of their project and provide new application materials (SF424, abstract, budget, & prog. narr.); Applicant sent response emails on 8-17-2015 and 8-18-2015 with 2 page response document & new applicant docs attached; Pre-award communication & new applicant docs uploaded to GMS on 8-18-2015 with note stating expanded scope were requested by NIJ Director during Director's briefing on 8-13-2015; Funding Memo signed by NIJ Deputy Dir. on 8-18-2015	DJ Davis

44.	N. Frederique & E. Martin	n/a (Translational Criminology App)	Washington Univ. in St. Louis (Stacey McCrary)	n/a	n/a	Pre-Award Communication (Solicitation Open) - SSAs had a "phone discussion re: NIJ-2015-4027" (i.e., Translational Crim. Solicitation) on 4/1/2015 (appt. listed on both SSAs' calendars)	n/a
45.	B. Backes	2015-IJ-CX-0009 (Campus Assault grant award)	Wellesley College	1/1/2016; 12/31/2017	\$555,677	Pre-Award Communication (Solicitation Closed & Post-Peer Review) - SSA contacted applicant and applicant responded with 5 page response document on 7-12-2015; SSA uploaded response document to GMS on 7-15-2015; SSA added a note in GMS on 7-15-2015 which states: "Attached applicant responses to additional NIJ questions;" Funding memo signed 7-20-2015	DJ Davis
46.	D. Blachman-Demner	n/a	YEARS	n/a	n/a	Pre-Award Communication - SSA met with ACF on 3/9/2015 to discuss "YEARS response to clarification questions" (appt. listed on SSA's calendar)	n/a
			Total Grant Award Amount		\$9,645,121		

APPENDIX 4							
- Incentives on Approximately One-Third of ORE Grants -							
Line #	Award Number	Grantee Name	Grant Start Date	Grant End Date	Grant Amount	Total Incentives	Incentive Details
1.	2014-MU-MU-K001	American Indian Development Associates, LLC (AIDA)	1/1/2015	9/30/2016	\$958,045 (\$421,104 orig., \$536,941 supp.)	\$9,500	\$20 x 375 youth (12-20 year olds); \$40 x 50 youth (12-20 year olds) - Approved in full by NIJ mgmt. on 6/15/2015
2.	2014-IJ-CX-0026	Arizona State University	1/1/2015	12/31/2017	\$666,268	\$22,000	\$40 x 550 correctional officer interviewees - Approved in full by NIJ mgmt. on 1/7/2015
3.	2014-MU-CX-0111	Arizona State University	1/1/2015	12/31/2015	\$840,807	\$80,000	800 inmates, pre and post release; 800 participants x \$25 x 4 interviews - Approved in full by NIJ mgmt. on 11/16/2015
4.	2015-IJ-CX-0013	Arizona State University	1/1/2016	12/31/2017	\$369,928	\$500	\$25 gift cards for 20 participants, for \$500 total; Approved in full by NIJ mgmt. on 12/3/2015
5.	2015-IJ-CX-0011	Ball State University	1/1/2016	12/31/2018	\$388,478	\$1,000	\$1000 of trinkets going to youth - Approved in full by NIJ mgmt. on 12/9/2015
6.	2014-CK-BX-0001	Fund for the City of New York, Center for Court Innovation (CCI)	1/1/2015	6/30/2017	\$629,952	\$1,300	\$5 x 60 teacher and safety agent interviews; \$10 x 40 Parent Focus Groups; \$5 x 40 student Focus Groups participants; \$25 x 16 Parent Expert Panels - Approved in full by NIJ mgmt. on 1/8/2015
7.	2014-R2-CX-0007	Fund for the City of New York, Center for Court Innovation (CCI)	1/1/2015	12/31/2016	\$440,156 (\$242,000 orig., \$198,156 supp.)	\$16,800	\$14,000 prostitute interview payments, \$2800 prostitute referral payments - Approved in full by NIJ mgmt. on 1/7/2015
8.	2014-CK-BX-0104	Columbus County Schools, LEA, NC	1/1/2015	12/31/2017	\$1,499,019	\$252,000	"Site Incentives" = \$2,000 x 12 schools x 3 years x 2 school districts = \$144,000; "Teacher Incentives" = \$3,000 x 12 teachers x 3 years = \$108,00 - Approved in full by NIJ mgmt. on 5/26/2015

9.	2015-CK-BX-0009	Magnolia Consulting, LLC	1/1/2016	12/31/2017	\$445,052	\$4,375	\$25 x 105 Phase 1 participants = \$2625, \$25 x 70 Phase 2 participants = \$1750; Approved in full by NIJ mgmt. on 11/16/2015
10.	2014-MU-CX-0003	Medical University of South Carolina (MUSC)	1/1/2015	12/31/2017	\$520,177 (\$260,136 initial award, \$260,041 supp.)	\$13,000	\$10 x 850 elderly participants = \$8500; Supplemented in 2015: \$10 x 450 elderly participants = \$4500 - Approved in full by NIJ mgmt. 2/3/2015 & 12/2/2015
11.	2015-R2-CX-0004	National Children's Advocacy Center (NCAC)	1/1/2016	12/31/2018	\$755,136	\$17,800	Multiple participant support costs included (focus groups, interviews, and surveys to youth 10-17 years old and their parents) totaling \$17,800; \$30 gift cards going G5to 10-17 yr. olds, not their parents - Approved in full by NIJ mgmt. on 12/7/2015 (as of 12/9/2015, grantee revising incentive plan)
12.	2015-VF-GX-0110	National Opinion Research Center (NORC)	1/1/2016	7/31/2018	\$998,044	\$147,710	\$15 x 1800 participants (18-32 y.o.) = \$27,000; \$30 x 1857 participants (18-32 y.o.) = \$55,710; \$50 x 1300 participants (18-32 y.o.) = \$65,000 - Approved in full by NIJ mgmt. on 12/8/2015
13.	2014-VA-CX-0066	New York University	1/1/2015	12/31/2017	\$795,457 (\$208,485 orig. award, \$586,972 supp.)	\$83,250	\$250 x 200 teenaged couples = \$50,000; Supplemented in 2015: \$250 x 133 teenaged couples = \$33,250 - Approved in full by NIJ mgmt. on 1/29/2015 & 11/12/2015
14.	2014-IJ-CX-0044	New York University	1/1/2015	6/30/2017	\$645,456	\$45,000	\$150 per participant x 300 youth - Approved in full by NIJ mgmt. on 1/29/2015
15.	2012-R2-CX-0012	Pennsylvania State University	5/1/2013	4/30/2016	\$426,181	\$11,250	\$45 x 250 inmate participants - Grant predates NIJ mgmt. approval process - No approval on file
16.	2012-IJ-CX-0039	Police Foundation	1/1/2013	12/31/2015 (Originally 12/31/2014)	\$397,344	\$7,500	\$5 x 1500 Residential Surveys (surveys and incentives mailed, age of participants/recipients unknown) - Grant predates NIJ mgmt. approval process - No approval on file
17.	2014-IJ-CX-0103	San Diego Association of Governments (SANDAG)	1/1/2015	12/31/2017	\$334,360	\$4,800	\$20 gift cards x 240 ex-offenders - Approved in full by NIJ mgmt. on 1/29/2015

18.	2012-IJ-CX-0034	South Carolina Research Foundation	1/1/2013	12/31/2015	\$498,707	\$13,300	\$600 = inmate focus groups (10 inmates x \$10 x 6 grps.); \$1200 = visitor focus grps (10 visitors x \$20 x 6 grps.); \$1000 = family focus grps (10 families x \$100 per family); \$10,500 = agency honoraria - Grant predates NIJ mgmt. approval process - No approval on file
19.	2015-IJ-CX-0022	University North Carolina, Chapel Hill	1/1/2016	12/31/2018	\$968,933	\$59,300	Main Budget: \$20 x 355 patients = \$7100; \$100 x 5 Phase 1 nurses = \$500; \$50 x 10 Phase 2 nurses = \$500; \$80 x 280 social workers = \$22,400; SubKs: \$20 x 240 patients = \$4800 x 2 subKs = \$9600; \$80 x 240 social workers = \$19,200; Total Main and SubK incentives = \$7100 + \$500 + \$500 + \$22,400 + \$9600 + \$19,200 = \$59,300 - Approved in full by NIJ mgmt. 12/7/2015
20.	2014-NE-BX-0009	University of Alabama at Birmingham	1/1/2015	12/31/2017	\$939,398	\$45,000	\$300 x 150 adult couples (\$50 x 6 specimen collections x 150 couples) - Approved in full by NIJ mgmt. on 2/3/2015
21.	2013-VA-CX-0002	University of Colorado Denver	1/1/2014	12/31/2016	\$440,642	\$25,000	\$100 x 250 youth (18-22 year olds) - Grant predates NIJ mgmt. approval process - No approval on file
22.	2010-WG-BX-0009	University of Iowa	1/1/2011	6/30/2015 (Originally 12/31/13)	\$823,822	\$100,500	\$65 and \$75 Gift Cards for Adult Interviews (total expected to expend = approx. \$33,500; total expected to remain at close out = approx. \$67,000) - Grant predates NIJ mgmt. approval process - No approval on file - Mismanagement of gift cards finding in 2014 EPDR
23.	2012-R2-CX-0007	University of Kentucky Research Foundation	1/1/2013	4/30/2015	\$363,226	\$5,400	\$50 x 108 participants - Grant predates NIJ mgmt. approval process - No approval on file
24.	2015-VF-GX-0064	University of Nevada, Las Vegas	1/1/2016	12/31/2018	\$623,607	\$8,000	\$25 x 240 quantitative research part. = \$6000, \$40 x 50 interviewees = \$2000; Approved in full by NIJ mgmt. on 11/16/2015

25.	2014-VA-CX-0012	University of New Hampshire	1/1/2015	12/31/2016	\$579,301	\$21,725	At time of award: Food Incentives (College Students) = \$2300; Focus Group Gift Cards (College Students) = \$15,400; Student Stipends = \$5,500; Incentives increased following SSA pre-award communication; Incentives not approved and removed from budget; Final Approved incentives: \$350 x 20 focus grp. participants = \$7,000; 333 college students x \$15 gift cards x 2 years = \$10,000 (budgeted); 315 college students x \$15 gift cards = \$4,725 - Approved in full by NIJ mgmt. on or about 1/14/2016
26.	2015-R2-CX-K127	University of New Hampshire	1/1/2016	12/31/2017	\$624,638	\$18,140	Youth Incentives: \$20 x 32 = \$640, \$50 x 10 = \$500, \$20 x 600 = \$12,000; School Incentives: \$1000 x 5 = \$5,000; Incentive approval/denial pending
27.	2015-CK-BX-0013	University of Pennsylvania	1/1/2016	12/31/2018	\$883,519	\$47,500	First Version: \$25 x 800 teachers = \$20,000; \$50 x 32 school participants = \$1600 x 2 years = \$3200 (\$23,200 total) ; Final Version: \$25 x 1500 school personnel = \$37,500; \$50 x 80 interviewees = \$4000; \$1000 x 6 schools = \$6000 (\$47,500 total); Tentatively approved in full by NIJ mgmt. 12/28/2015 (awaiting confirmation of teacher's off-duty participation)
28.	2014-R2-CX-0009	University of Texas at El Paso (UTEP)	1/1/2015	12/31/2017	\$363,848	\$34,666	Gift Cards to Parolees (gift cards chosen to circumvent state law/parolees' victim restitution requirement); amount of Gift Cards = \$75 each (\$20, \$25, \$30 gift cards for each parolee, interviews at 3 points in time) - Approved in full by NIJ mgmt. on 1/14/2015 & 5/26/2015
29.	2015-CK-BX-0019	University of Texas at San Antonio	1/1/2016	12/31/2017	\$359,501	\$120,000	\$30 gift cards x 4000 online survey participants; Approved in full by NIJ mgmt. on 11/23/2015
30.	2015-CK-BX-0022	University of Washington	1/1/2016	12/31/2018	\$638,040	\$4,700	\$20 x 122 teen interviews = \$2440 (Year 1); \$20 x 113 teen interviews = \$2260 (Year 2); Approved in full by NIJ mgmt. on 11/30/2015

31.	2015-VF-GX-0112	Vera Institute of Justice	1/1/2016	12/31/2018	\$578,816	\$7,500	\$50 x 150 participants (young men, 18-24 y.o.); Approved in full by NIJ mgmt. on 12/1/2015
32.	2014-MU-CX-0001	Wayne State University	1/1/2015	12/31/2017	\$468,181	\$13,000	\$40 x 80 elderly participants x 2 years; \$40 x 40 elderly participants; \$25 x 80 "Key Informants" x 2 years; \$25 x 40 "Key Informants" - Approved in full by NIJ mgmt. on 1/8/2015
33.	2014-CK-BX-0011	Wisconsin Department of Public Instruction	1/1/2015	12/31/2018	\$858,187	\$589,000	\$589,000 in "school grants" = \$19,000 x 31 schools (awaiting add'l docs, appears akin to school incentives); Incentive approval/denial pending as of 2/8/2016
				TOTALS	\$21,122,226	\$1,830,516	

APPENDIX 5						
- Post-Award Wrongdoing on Approximately One-Third of ORE Grants -						
Line #	SSA Name(s)	Award Number	Grantee Name	Grant Start & End Dates	Grant Amount	SSA Action(s)
1.	C. Crossland	2014-MU-MU-K001	American Indian Development Associates, LLC (AIDA)	1/1/2015; 9/30/2016	\$958,045 (\$421,104 orig., \$536,941 supp.)	Post-Award - SSA COI and Subcontractor Involvement - SSA (Crossland) co-presented with PI in Dec 2014, submitting conference presentation materials in July 2014, & did not recuse herself from app review and grant decision-making process; SSA directed subcontractor replacement (along with D. Blachman-Demner), GM pointed-out violations of 2010 NIJ policy multiple times to NIJ and ORE management, and was told it was allowed since grant is a cooperative agreement; 2015 Supplement Award - supplement offered to grantee even though less than \$90k of original award obligated by 6/30/2015
2.	S. Irazola	2014-MU-CX-0111	Arizona State University	1/1/2015; 12/31/2015	\$840,807	Subcontractor Involvement: ORE Director forwarded an email to GM on 10-23-2015 confirming ongoing talks between her and subcontractor on the grant (D. Pyrooz, Univ. of Colorado); GM sent reply email affirming appropriate arms' length relationship with subcontractor (i.e., not included in NIJ/grantee meetings unless requested by grantee; grantee responsible for conveying important info. to subcontractor), and was told ORE Director did nothing wrong
3.	M. Moses	2009-IJ-CX-0009	Child Trends	1/1/2010; 12/31/2016	\$925,692	Grant is over 7 years past Its Award Date
4.	K. Browning	2013-R2-CX-0013	ICF Inc., LLC	1/1/2014; 6/30/2016	\$462,327	COI Issues - S. Irazola listed as Co-PI in App Materials Dated 5-15-2013; S. Irazola applied for ORE Director position 6-15-2014, Interviewed in July 2014, Accepted Position by Aug 2014, S. Irazola was replaced as PI and POC on grant on 9-14-2014; S. Irazola's First Day as ORE Director was 9-22-2014

5.	B. Backes	2012-VF-GX-0001 (Office for Victims of Crime (OVC) Wraparound Services grant award)	ICF Inc., LLC	11/1/2012; 7/31/2018 (includes 2013, 2014, & 2015 Supps.)	\$2,297,859 (includes \$598,720 orig. award, \$599,970 2013 Supp., \$599,258 2014 Supp., & \$499,911 2015 Supp.)	Major COI Issues - S. Irazola POC for Orig. Award & Supp. 1 (Supp. 1 still active); S. Irazola applied for ORE Dir. position 6/15/2014; Invite to Apply for Supp. 2 – Emailed 7-8-2014 (S Irazola copied); Supp. 2 Funding Memo (“internal peer review panel”) Signed 7-25-2014; Supp. 2 Materials (with S Irazola as PI) Dated 7-31-2014, Uploaded 7-30-2014; “Temp.” Change of POC/PI for Supp. 2 approved 9-14-2014; Award Date for Supp. 2: 9-18-2014; S. Irazola’s first day in NIJ: 9-22-2014; 2014 Supp. 2 Includes Email Between S. Irazola and SSA about Change in PI; Other Issues: grant supplemented multiple times although previous grant funds not expended (for e.g., when Supplement 1 was awarded less than \$50k of orig. award obligated)
6.	C. Mulford	2014-MU-CX-0003	Medical University of South Carolina (MUSC)	1/1/2015; 12/31/2017	\$520,177 (initial award, \$260,041 Supp.)	Post-Award - Supplement award offered and awarded to grantee even though less than \$48k of original award obligated
7.	C. Mulford (B. Backes Pre-Award)	2014-VA-CX-0065	National Opinion Research Center at the Univ. of Chicago (NORC)	1/1/2015; 12/31/2017	\$998,989 (initial award, \$351,825 orig., \$648,164 Supp.)	Post-Award - 2015 Supplement award offered and awarded to grantee even though less than \$5k of original award obligated
8.	J. Hunt	2012-IJ-CX-0039	Police Foundation	1/1/2013; 6/30/2016	\$397,344	Post-Award Direction - Direct Subcontractor Communication and Direction from SSA
9.	D. Blachman-Demner	2013-IJ-CX-0031	University of Arizona	1/1/2014; 12/31/2016	\$384,928	Post-Award - Promising Grant Transfer or Subcontract or Consultant Position to Former PI - SSA contact with Former PI/Prospective Subcontractor
10.	D. Blachman-Demner	2013-VA-CX-0002	University of Colorado Denver	1/1/2014; 12/31/2016	\$440,642	Post-Award - SSA approved IRB Modification which included Unallowable Food & Beverage
11.	L. Truitt	2012-R2-CX-0007	University of Kentucky Research Foundation	1/1/2013; 7/31/2015	\$363,226	Post-Award Direction - 2 sites added at NIJ Direction with no additional funding (see Jan. 2015 progress report)

12.	D. Blachman-Demner	2012-IJ-CX-0023	University of Washington	1/1/2013; 12/31/2016	\$428,396	Nepotism - Budget includes clear nepotism - Grantee doc acknowledging nepotism dated 12/14/2012 - Nepotism document uploaded to GMS by SSA on 4/16/2013
13.	K. Browning	2013-NE-BX-0007	Urban Institute	1/1/2014; 12/31/2018	\$499,956	Post-Award Scope Change - After failing to make any progress for over 2 years, SSA allowed grantee to change the entire project, rather than defunding the grant; Grant was extended 3 additional years and will be over 5 years past its award date
			Total Grant Award Amount		\$9,518,388	

Appendix 6

U.S. Senate Judiciary Letter to Attorney General Lynch

September 15, 2015



September 15, 2015

VIA ELECTRONIC TRANSMISSION

The Honorable Loretta Lynch
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

The Honorable Michael E. Horowitz
Inspector General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Attorney General Lynch and Inspector General Horowitz:

On July 14, 2015, I wrote to the Justice Department and the Department's Office of Inspector General (OIG) regarding allegations that the Office of Justice Programs (OJP) improperly awarded research grants¹ and illegally awarded mentoring grants. One common element in those allegations was that OJP selectively awarded grants to entities that scored lower than others in peer-reviews, without providing an adequate justification. I have since been contacted by additional whistleblowers who reiterate and expand on these allegations.

According to these new whistleblowers, OJP routinely violates federal regulations and policies established by the Office of Management and Budget (OMB) and OJP itself – all of which require fair and open competition in awarding grants. For example, OJP's National Institute of Justice (NIJ) allegedly engages in prohibited "pre-award" communications with a favored group of applicants that allows them to gain an unfair advantage over other applications.

Allegedly, NIJ essentially coaches favored applicants so that they can obtain grants at the expense of others that scored higher through the peer-review process, but did not get the same opportunity to subsequently enhance their applications based on pre-award feedback from NIJ. NIJ allegedly engaged in this practice with 63 grants in 2014, involving more than \$50 million in federal taxpayer funds. In addition, at least \$8.6 million in 2015 grant funds have allegedly been tainted by this practice.

¹ Jim Walls, "'Transparent' NIJ Grant Process Withholds Information from Public," *YouthToday*, June 22, 2015, <http://youthtoday.org/2015/06/transparent-nij-grants-process-withholds-information-from-public/>.

As another example, NIJ allegedly encourages applicants to budget in their applications improper research grant incentives. While offering reasonable stipends or support costs to encourage participation in research is allowable, NIJ allegedly approves and facilitates the submission of applications with unjustified incentives.

In one illustrative case in 2014, NIJ allegedly awarded a grant to an applicant who provided almost \$35,000 in gift cards to parolees who participated in the study. NIJ allegedly approved this application despite the applicant's express disclosure that the form of payment to participants (gift cards) was chosen for the specific purpose of circumventing the requirements of that state's victim restitution law. Presumably, gift cards were chosen rather than cash to ensure that parolees would not have to give some or all of that payment to the state's victim restitution fund.

Apart from the legality of this grant applicant's use of gift cards in this manner, NIJ's decision to approve this application raises concerns as to the level of policy coordination between NIJ and other components within OJP. The Office for Victims of Crime (OVC), for example, administers the Crime Victims Fund, which was established by the Victims of Crime Act of 1984 (VOCA).² According to VOCA's mandated allocation process, OVC disburses millions of dollars in formula grants each year to all fifty states and most territories for victim compensation.³ One of the main VOCA-funded streams support state crime victim compensation programs that reimburse victims of violent crimes for out-of-pocket expenses that result from the crime.⁴ Yet, NIJ apparently awarded a research grant to an entity that intentionally designed its study to evade laws enacted in furtherance of this policy goal. If true, this alleged decision of NIJ warrants explanation.

In addition, there is an allegation that NIJ engages in improper post-award communications in violation of a policy that generally prohibits NIJ staff from attempting to influence grantees in their selection of sub-grantees. Specifically, through these prohibited communications, NIJ allegedly offered a promise of selection to a potential subcontractor in one grant in 2013 and approved of nepotism in another grant in 2012.

Disturbingly, the whistleblowers claim that NIJ management and OJP's Office of General Counsel (OGC) approved of these practices despite multiple notifications of their impropriety and likely illegality, and despite notification of a 2009 OIG report that found problems in similar NIJ practices. The whistleblowers also claim that those who sought to raise these issues to OJP management suffered retaliation in violation of 5 U.S.C. § 2302(b).

These are serious allegations that merit a thorough and independent investigation. In June 2015, the U.S. Office of Special Counsel (OSC) found that there is a substantial likelihood that these allegations expose wrongdoing at OJP, and referred these allegations to the Attorney General for investigation and report, under 5 U.S.C. § 1213.

² U.S. Department of Justice, Office for Victims of Crime, *OVC Fact Sheet*, <http://ojp.gov/ovc/pubs/crimevictimsfundfs/intro.html>.

³ *Id.*

⁴ *Id.*

However, I have been informed that Attorney General Lynch has tasked OJP's OGC with investigating these allegations, even though OGC is one of the subjects of some of the allegations. If true, this arrangement raises questions as to whether these allegations will be investigated with the necessary independence, and why these allegations were not referred to OIG or at the very least, a Department component external to OJP, for investigation.

Accordingly, please provide written responses to the following by October 2, 2015:

Attorney General Lynch

1. After receiving the June 2015 OSC referral referenced above, to whom did you refer the matter for investigation and report?
2. If you referred the matter to OJP OGC for investigation and report:
 - a. Were you aware of the allegations that OJP OGC at least tacitly approved the allegedly improper and possibly illegal practices in question?
 - b. Why did you decide against referring these allegations to the independent Inspector General for investigation?
3. Has OSC referred to you for investigation and report, any other allegation involving OJP which you did not refer to OIG? If so, what is the allegation, when did you receive the allegation, to whom did you refer the allegation, and why?
4. In order to allow the Committee to properly assess these allegations, please provide the Committee with all Department records that comprise or relate to pre-award communications, communications involving research incentives, and post-award communications, for all 2014 and 2015 grant applications considered by NIJ's Office of Research and Evaluation (ORE).
5. Do you believe it is appropriate for one component of OJP—the National Institute of Justice—to knowingly award grants to applicants who state that they will use those funds to circumvent the legal requirements of a state program that receives support from another component of OJP—the Office for Victims of Crime? If so, and if NIJ did in fact award a grant to such an applicant, please explain why the grant was awarded at the expense of other applicants whose proposed studies did not conflict with the policy goals of OVC or other OJP components.
6. In the interests of fair and open competition, will you consider publicizing for all grant applications considered by OJP, the peer-review raw scores, consensus scores, and rankings, along with a written justification for why grants were awarded to certain applicants but not others? If not, please explain.
7. What is the Department's policy regarding pre-award and post-award communications with grant applicants, and the use of research incentives by those applicants?

Inspector General Horowitz

1. Please contact my staff to arrange an interview with the whistleblowers referenced in today's letter. Please investigate all of the allegations referenced in this letter and provide a report of your findings, independent of any internal investigation undertaken by the Department.

Please number your responses according to their corresponding questions. If you have any questions, please contact Jay Lim of my Committee staff at (202) 224-5225. Thank you.

Sincerely,



Charles E. Grassley
Chairman

cc:

The Honorable Carolyn N. Lerner
Special Counsel
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505

Appendix 7

U.S. Senate Judiciary Letter to Assistant Attorney General Mason

& DOJ's Inspector General Horowitz

July 14, 2015

The logo for the United States Senate, featuring the text "United States Senate" in a blue serif font, with a small emblem below it.

July 14, 2015

VIA ELECTRONIC TRANSMISSION

The Honorable Karol V. Mason
Assistant Attorney General
Office of Justice Programs (OJP)
U.S. Department of Justice

The Honorable Michael E. Horowitz
Inspector General
U.S. Department of Justice

Dear Assistant Attorney General Mason and Inspector General Horowitz:

According to a news report, OJP's National Institute of Justice (NIJ) awarded a \$3 million grant to the University of Pennsylvania in 2014, days before NIJ's former Acting Director left his position at the U.S. Department of Justice (DOJ) to join the faculty at that university.¹ NIJ's former Acting Director apparently recused himself from this funding decision, but questions remain regarding the alleged role of his now-retired subordinate in the award of that grant and the lack of transparency and objectivity in NIJ's grant-making process as a whole.² NIJ claims that it uses a peer-review process to select grant recipients, but has allegedly refused to reveal to the public and applicants the raw scores and rankings that resulted from those reviews.³ I write to request this and other information on behalf of this Committee.

These allegations pertain to NIJ's handling of grants issued under the Comprehensive School Safety Initiative, but I have been contacted by a whistleblower who reiterates this core allegation as to the administration of National Mentoring Grants, which is handled by a different component within OJP, the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Specifically, the whistleblower alleges that OJJDP awards mentoring grants to certain organizations that score lower than other organizations that are not selected as grant recipients. Allegedly, even organizations with top scores and rankings have not been awarded grants during the current OJJDP Administrator's tenure.

In addition, the whistleblower alleges that OJJDP issues mentoring grants to organizations that knowingly use those funds to serve individuals who are not minors, in violation of the Juvenile Justice and Delinquency Prevention Act (JJDP). The whistleblower also asserts that OJJDP awards mentoring grants to organizations that falsify the number of mentoring matches that these organizations are required to make within the grant period. In addition, OJJDP is allegedly failing to monitor and enforce the requirement that OJJDP National

¹ Jim Walls, "'Transparent' NIJ Grant Process Withholds Information from Public," *YouthToday*, June 22, 2015, <http://youthtoday.org/2015/06/transparent-nij-grants-process-withholds-information-from-public/>.

² *Id.*

³ *Id.*

Mentoring grantees pass through 90% of the entire grant to local affiliate programs where the services to youth are actually provided.

Finally, the whistleblower alleges that OJJDP mentoring grantees are using funds for purposes that exceed the scope of activities authorized by the grant, thereby improperly supplanting or displacing existing federal funds that have been designated for those activities. For example, the whistleblower alleges that organizations like YouthBuild USA use OJJDP mentoring grants to pay construction instructors whose activities have already been funded by grants received from the Department of Labor or the Corporation for National and Community Service (CNCS). This allegation finds independent support in a December 2014 report provided by the CNCS Office of Inspector General (CNCS OIG):

From 2007 until 2014, YouthBuild USA . . . improperly assigned 74 AmeriCorps members to serve as teacher's aides in locations throughout the United States, although assisting in classroom instruction was not authorized service under the terms of the [CNCS] grant. . . . YouthBuild's grant provided in essence that students working towards a high school diploma or GED would participate in AmeriCorps half-time, by assisting in their communities with housing construction, renovation, and energy efficiency projects. Nothing in the [CNCS] grant contemplated that full-time AmeriCorps members would participate in the classroom instruction of the part-time members.

Given that YouthBuild USA may be using both OJJDP mentoring grants and CNCS AmeriCorps grants to fund activities outside their designated scope, there is a question as to whether such organizations are double-charging federal taxpayers for activities that may have already been funded under grants administered by the Department of Labor, or with other funds. As co-chair of the Senate Caucus on Foster Youth, I am working to improve our child welfare system so that minors have the resources and services they need. As Chairman of the Senate Judiciary Committee, I want to ensure that DOJ pursues this goal in a fair and transparent manner that does not waste or mismanage taxpayer funds.

Accordingly, please provide written responses to the following by July 31, 2015:

1. Assistant Attorney General Mason:
 - a. Please provide the raw scores and rankings of all applicants and recipients of NIJ grants under the Comprehensive School Safety Initiative.
 - b. Please provide the raw scores and rankings of all applicants and recipients of OJJDP Mentoring Grants for every Fiscal Year since and including FY 2009.
 - c. In awarding mentoring grants, how does OJJDP ensure that recipients use funds to serve juveniles and not adults?
 - d. Since and including FY 2009, has YouthBuild USA used any OJJDP mentoring grant funds to serve adults? If so, what proportion of OJJDP funding is used by YouthBuild USA to serve adults rather than juveniles?
 - e. How does OJJDP ensure that recipients of mentoring grants accurately report the number of mentoring matches achieved in a given year?

Assistant Attorney General Mason and Inspector General Horowitz
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- f. How many mentoring matches did YouthBuild USA report in each Fiscal Year since and including FY 2009?
 - g. How does OJJDP ensure that recipients of mentoring grants pass through 90% of grants to local affiliate programs?
 - h. Did YouthBuild USA pass through 90% of the \$8,840,914 it received in mentoring grants in FY 2009,⁴ and 90% of the \$1,753,465 it received in mentoring grants in FY 2014?⁵
 - i. How does OJJDP ensure that YouthBuild USA and other mentoring grantees do not use those funds to supplant or displace existing funds?
2. Inspector General Horowitz:
- a. In 2009, your office found various problems within NIJ's practices for awarding grants and contracts, including failure to maintain adequate documentation of pre-award records and instances where NIJ staff who had potential conflicts of interest were allowed to participate in the approval process for the grants in question.⁶ Please review whether NIJ still suffers from these or other deficiencies and whether NIJ grant award practices are based on fair and open competition. Please also review the NIJ grant awarded to the University of Pennsylvania in 2014.
 - b. Please contact my staff to arrange an interview with the whistleblower who alleges OJJDP's mismanagement of mentoring grants. Please investigate all OJJDP-related allegations referenced above, independent and regardless of any concurrent review undertaken by the Department.

Please number your responses according to their corresponding questions. If you have any questions, please contact Jay Lim of my Committee staff at (202) 224-5225. Thank you.

Sincerely,



Charles E. Grassley
Chairman

cc: The Honorable Deborah J. Jeffrey
Inspector General, Corporation for National and Community Service

The Honorable Scott S. Dahl
Inspector General, U.S. Department of Labor

⁴ U. S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, National Mentoring Programs, "FY 2009 OJJDP Grant Awards,"

<http://www.ojjdp.gov/funding/fy09/NationalMentoring.pdf>.

⁵ U. S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, Awards Made for "OJJDP FY 14 National Mentoring Programs: Category 2: Group Mentoring,"

<http://grants.ojp.usdoj.gov:85/selector/title?solicitationTitle=OJJDP%20FY%2014%20National%20Mentoring%20Programs:%20Category%202:%20Group%20Mentoring&po=OJJDP>.

⁶ U. S. Department of Justice, Office of Inspector General, "Audit of the National Institute of Justice's Practices for Awarding Grants and Contracts in Fiscal Years 2005 Through 2007," Audit Report 09-38, September 2009, <https://oig.justice.gov/reports/OJP/a0938.pdf>.

Appendix 8

NIJ Social Science Analyst's Calendar Appointment

With Embedded Email from Subcontractor

Re: All Expense Paid Trip to Tennessee

April 14-17, 2015

Davis, Donna

Subject: Bridging Meeting w/ Sherry Hamby
Location: Tennessee
Start: Tue 4/14/2015 12:00 AM
End: Fri 4/17/2015 12:00 AM
Show Time As: Out of Office
Recurrence: (none)
Organizer: Frederique, Nadine

Dear Nadine,

We are writing to invite you to join us for a meeting designed to foster bridge-building between people of diverse interests, including resilience, violence, narrative, and positive psychology.

This is an invitation-only meeting that will bring together researchers, community stakeholders, and policymakers who share interests in understanding and facilitating the processes that foster healthy development in people who have experienced adversity.

The meeting will be held April 14-16 (Tues to Thurs) on the beautiful Cumberland Plateau in Tennessee, and

We hope to create a fresh take on the typical conference experience. You might call it a "flipped" conference. This conference will have:

- 1) More time for open (facilitated) discussion. So many conferences bring so many great minds together and then offer almost no opportunity for these great minds to interact!
- 2) "Goldfish bowl" experiences—instead of "research-to-practice," these will be "practice-to-research" sessions featuring community members and stakeholders.
- 3) Experiential opportunities to participate in exercises in narrative, mindfulness, and prevention and experience the "other side of the desk."

- 4) Short-talk formats. Participants may prepare a 20X20 presentation on their work. That's 20 slides set on 20-second automatic advance so every talk lasts exactly 6 minutes and 40 seconds. The format helps pull for big picture, visionary commentary (not unlike some of the better TED talks).
- 5) A tangible scholarly product. We plan to create outlines/drafts of commentary on a research, practice, and policy agenda on advancing resilience and promoting character development. These will be published as a special section in the journal *Psychology of Violence*.

We will also be sharing meals and lodging together at the St. Mary's Sewanee Center, a center for spiritual retreats that has breathtaking mountain views. It will be spring in the mountains, a particularly beautiful time of year, and we hope being surrounded by growth and resilience in its natural form will facilitate our goals.

We hope you can join us. We have limited seats available, so if you cannot join us, please let us know as soon as possible (ideally within 72 hours) so we can offer the slot to someone else.

Best regards,

Sherry Hamby

Victoria Banyard

John Grych

--

Sherry Hamby, Ph.D.
Editor, *Psychology of Violence*
Research Professor, Department of Psychology
Director, Life Paths Research Program
Sewanee, the University of the South
735 University Avenue
Sewanee, TN 37383
(931) 598-1476

Appendix 9

NIJ Social Science Analyst's Calendar Appointment

Re: Pre-Solicitation Meeting with Applicant

November 6, 2014

Davis, Donna

Subject: Meet with Catholic U
Location: Call to Melissa Grady
Start: Thu 11/6/2014 4:00 PM
End: Thu 11/6/2014 4:30 PM
Recurrence: (none)
Organizer: Martin, Eric D.

Appendix 10

NIJ Social Science Analyst's Calendar Appointment with Embedded Email

Re: Pre-Solicitation Meeting with Applicant

November 25, 2014

Davis, Donna

Subject: call with Melissa Grady
Location: she'll call me
Start: Tue 11/25/2014 11:00 AM
End: Tue 11/25/2014 11:30 AM
Recurrence: (none)
Organizer: Browning, Katharine

-----Original Message-----

From: Grady, Melissa [mailto:GRADY@cua.edu]
Sent: Wednesday, November 12, 2014 2:16 PM
To: Browning, Katharine
Subject: Partnership Grant

Hello Ms. Browning,

Eric Martin suggested I write to you as I am planning on applying for the Partnership Grant in the spring. I was wondering if it might be possible to set up a time to talk with you about the grant a bit more and discuss my idea with you to make sure you feel it is a good fit.

If you could please let me know some dates that might work for you I will work to make one of those work. Mondays and Tuesdays are generally difficult for me as those are my teaching days. With W-F, it just depends on the day.

Thank you very much and I look forward to talking with you further.

Melissa Grady

Melissa D. Grady, PhD, MSW, LICSW, LCSW
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Appendix 11

NIJ Social Science Analyst's Email to GM

Re: SSA Conflict of Interest – SSA Co-Authoring Paper with PI

August 8, 2015

Davis, Donna

From: Blachman-Demner, Dara
Sent: Monday, August 03, 2015 12:58 PM
To: Davis, Donna
Cc: Picarelli, John; Blachman-Demner, Dara
Subject: Progress report 2013-VA-CX-0007

Follow Up Flag: Follow up
Flag Status: Flagged

DJ,

In reviewing the progress report for grant 2013-VA-CX-0007, I noticed that I am listed as a co-author on a manuscript in preparation for this project. I had, in fact, talked briefly with the PI about the possibility of working collaboratively on a paper with the research team. However, we agreed at that time that, since they were going to be submitting an application under the CEV panel this year, we would need to revisit my possible involvement after solicitation season was over. I have not engaged in any further conversations about or work on this project with the research team other than this initial inquiry.

As such, can you please ask them to remove my name from the list of authors in the submitted progress report?

Please let me know if you have any questions.

Thank you,
Dara

Dara R. Blachman-Demner, Ph.D.
National Institute of Justice
810 7th Street NW
Washington, DC 20531
(202) 514-9528
dara.blachman-demner@usdoj.gov

Appendix 12

NIJ Social Science Analyst's Email to ORE Director

Re: SSA Co-Presenting with Applicant & Providing List of Subcontractors

January 22, 2015

From: Crossland, Christine
Sent: Thursday, January 22, 2015 8:12 AM
To: Irazola, Seri (OJP)
Cc: Spivak, Howard (OJP); Picarelli, John
Subject: RE: 2014-MU-MU-K001 - Revised Budget Documents Needed

Good morning.

Below you will find the breakout of each original proposed staff member including their overall project devotion and role on the project. As you can see, UNH's overall contribution was less than 5% per staff. PE on the other hand had a 20% project devotion. I am not concerned about UNH's withdraw as there were some concerns externally and internally during the peer review as to whether they would be objective in developing a tribal data collection instrument given their bias toward their own youth victimization survey (the largest and most well-known but not necessarily the best). NIJ and OJJDP staff has had some "mixed" interactions with Finkelhor and Turner over the years resulting in our hesitation about them working on this specific project. That all being said, with Hamby's & UNH's withdraw, I would strongly recommend to the PI that they need to secure specific methodological expertise (i.e., survey methodology, non-parametric statistics, scaling and psychometrics, weighting/non-response bias analysis, variance estimation, imputation, paradata, respondent burden, and cognitive testing/labs). Ada, Michelle, and Rita have completed several youth studies that involved cognitive testing and field interviewers and their knowledge of the topic and strong ties to Indian Country are solid; however, they lack the necessary statistical expertise to ensure this method's study can successfully be completed.

I co-presented with the PI this past December at a conference. At the meeting, she reported the possible withdraw of the subgrantees and asked for recommendations for possible replacements. Dara and I have provided her a list of possible researchers she may wish to reach out to work on the study. We do believe that she can find replacements. The PI also understands that any staff would have to be approved by the funder.

I hope this helps. Christine

PRINCIPAL INVESTIGATOR(S) AND OTHER STAFF (PERCENT TIME FOR STUDY)

Project Staffing	Organization/Role	Project Devotion
Ada Pecos Melton, MPH, AIDA	Project Director	45%
Michelle Chino, Ph.D., UNLV	Senior Analyst	11%
Rita Martinez, BA,BSW, AIDA	Program Manager	70%
David Finkelhor, Ph.D., UNH	Consultant: Director, Crimes against Children Research Center, Co- Director, Family Research	4.44%

	Laboratory DCI Design and Data Analysis	
Heather Turner, Ph.D., UNH	Senior Research Associate at CCRC DCI Design and Data Analysis	4.78%
Sherry Hamby, Ph.D., PE	Research Professor, Department of Psychology, Sewanee, and Director, Life Paths Research Program, the University of the South; Executive Director, Possible Equalities (private firm) Cognitive Testing and Reporting	20%
TBA, UNLV	Graduate Research Assistant	NA

Appendix 13

**ORE Director Email to GM with NIJ Director,
NIJ Deputy Director, & OJP's OGC & OAAM Copied
Re: ORE Director Erroneously Claims No Violation of NIJ Policy
February 5, 2015**

From: Irazola, Seri (OJP)

Sent: Thursday, February 05, 2015 9:38 AM

To: Davis, Donna

Cc: Sabol, William; Spivak, Howard (OJP); Carradini, Rosemary Cavanagh; Craig, Rhonda; Moses, Charles; Allen, Lara

Subject: RE: 2014-MU-MU-K001 - Revised Budget Documents Needed

Sensitivity: Private

Hi DJ,

Thank you for your email and for bringing possible violations to our attention. We checked with OGC and OAAM, and there is no violation here. This is a cooperative agreement, and because NIJ is a partner in the research, it was permissible for the Analyst to provide a list of experts for the PI to consider in replacing the subawardees who left the project.

I understand that there are a lot of moving parts, so I think it is important that you work with the Analyst on this if there are questions.

Thank you,

Seri