

such funds are used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

**(b) Audits and examinations**

**(1) Audits and examinations**

Except as provided in paragraph (5), each office making a grant or other payment under this chapter, or any duly authorized representative of such office, may audit or examine any recipient of the grant or payment and shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient which in the opinion of the entity may be related or pertinent to the grant or payment.

**(2) Recipients of assistance subject to provisions of section**

The provisions of this section shall apply to all recipients of grants or other payments under this chapter, whether by direct grant, cooperative agreement, or contract under this chapter or by subgrant or subcontract from primary grantees or contractors under this chapter.

**(3) Mandatory audit**

In addition to audits conducted pursuant to paragraph (1), all funds provided under this chapter shall be subject to mandatory audit by the Comptroller General at least once during the lifetime of the program involved. For purposes of an audit under this paragraph, the Comptroller General shall have access to books, documents, papers, and records of recipients of funds in the same manner as the office making the grant or payment involved has access to such books, documents, papers, and records under paragraph (1).

**(4) Special rule for payments by General Services Administration**

With respect to any grant or payment made under this chapter by the Administrator of General Services, the Election Assistance Commission shall be deemed to be the office making the grant or payment for purposes of this section.

**(5) Special rule**

In the case of grants or payments made under section 15401 of this title, audits and examinations conducted under paragraph (1) shall be performed on a regular basis (as determined by the Commission).

**(6) Special rules for audits by the Commission**

In addition to the audits described in paragraph (1), the Election Assistance Commission may conduct a special audit or special examination of a recipient described in paragraph (1) upon a vote of the Commission.

**(c) Recoupment of funds**

If the Comptroller General determines as a result of an audit conducted under subsection (b) of this section that—

- (1) a recipient of funds under this chapter is not in compliance with each of the requirements of the program under which the funds are provided; or

- (2) an excess payment has been made to the recipient under the program,

the recipient shall pay to the office which made the grant or payment involved a portion of the funds provided which reflects the proportion of the requirements with which the recipient is not in compliance, or the extent to which the payment is in excess, under the program involved.

(Pub. L. 107-252, title IX, §902, Oct. 29, 2002, 116 Stat. 1727.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a), (b)(1) to (4), and (c)(1), was in the original "this Act", meaning Pub. L. 107-252, Oct. 29, 2002, 116 Stat. 1666, known as the Help America Vote Act of 2002, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 15301 of this title and Tables.

**§ 15543. Review and report on adequacy of existing electoral fraud statutes and penalties**

**(a) Review**

The Attorney General shall conduct a review of existing criminal statutes concerning election offenses to determine—

- (1) whether additional statutory offenses are needed to secure the use of the Internet for election purposes; and
- (2) whether existing penalties provide adequate punishment and deterrence with respect to such offenses.

**(b) Report**

The Attorney General shall submit a report to the Committees on the Judiciary of the Senate and House of Representatives, the Committee on Rules and Administration of the Senate, and the Committee on House Administration of the House of Representatives on the review conducted under subsection (a) of this section together with such recommendations for legislative and administrative action as the Attorney General determines appropriate.

(Pub. L. 107-252, title IX, §904, Oct. 29, 2002, 116 Stat. 1729.)

**§ 15544. Other criminal penalties**

**(a) Conspiracy to deprive voters of a fair election**

Any individual who knowingly and willfully gives false information in registering or voting in violation of section 1973i(c) of this title, or conspires with another to violate such section, shall be fined or imprisoned, or both, in accordance with such section.

**(b) False information in registering and voting**

Any individual who knowingly commits fraud or knowingly makes a false statement with respect to the naturalization, citizenry, or alien registry of such individual in violation of section 1015 of title 18 shall be fined or imprisoned, or both, in accordance with such section.

(Pub. L. 107-252, title IX, §905, Oct. 29, 2002, 116 Stat. 1729.)

**§ 15545. No effect on other laws**

**(a) In general**

Except as specifically provided in section 15483(b) of this title with regard to the National