

General Services, the Election Assistance Commission shall be deemed to be the office making the grant or payment for purposes of this section.

(4) Special rule

In the case of grants or payments made under section 21001 of this title, audits and examinations conducted under paragraph (1) shall be performed on a regular basis (as determined by the Commission).

(5) 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) prior to November 26, 2014, 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; Pub. L. 113-188, title IX, §901(c), Nov. 26, 2014, 128 Stat. 2020.)

REFERENCES IN TEXT

This chapter, referred to in subses. (a), (b)(1) to (3), 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 Tables.

CODIFICATION

Section was formerly classified to section 15542 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2014—Subsec. (b)(1). Pub. L. 113-188, §901(c)(1)(A), substituted “paragraph (4)” for “paragraph (5)”.

Subsec. (b)(3) to (6). Pub. L. 113-188, §901(c)(1)(B), (C), redesignated pars. (4) to (6) as (3) to (5), respectively, and struck out former par. (3). Prior to amendment, text of par. (3) read as follows: “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).”

Subsec. (c). Pub. L. 113-188, §901(c)(2), inserted “prior to November 26, 2014,” after “subsection (b)” in introductory provisions.

§ 21143. 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) 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.)

CODIFICATION

Section was formerly classified to section 15543 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 21144. 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 10307(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.)

CODIFICATION

Section was formerly classified to section 15544 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 21145. No effect on other laws

(a) In general

Except as specifically provided in section 21083(b) of this title with regard to the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) [now 52 U.S.C. 20501 et seq.], nothing in this chapter may be construed to authorize or require conduct prohibited under any of the following laws, or to supersede, restrict, or limit the application of such laws:

(1) The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) [now 52 U.S.C. 10301 et seq.].

(2) The Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.) [now 52 U.S.C. 20101 et seq.].