

child human trafficking shall not be required to collaborate with law enforcement officers to have access to any shelter or services provided with a grant under this section.

**(I) Grant accountability; specialized victims' service requirement**

No grant funds under this section may be awarded or transferred to any entity unless such entity has demonstrated substantial experience providing services to victims of human trafficking or related populations (such as runaway and homeless youth), or employs staff specialized in the treatment of human trafficking victims.

(Pub. L. 109-164, title II, §203, Jan. 10, 2006, 119 Stat. 3570; Pub. L. 110-457, title III, §302(4), Dec. 23, 2008, 122 Stat. 5087; Pub. L. 114-22, title I, §103(a), May 29, 2015, 129 Stat. 231.)

REFERENCES IN TEXT

The Victims of Child Abuse Act of 1990, referred to in subsec. (k)(2), is Pub. L. 101-647, title II, Nov. 29, 1990, 104 Stat. 4792. Subtitle A of the Act was classified generally to subchapter I (§13001 et seq.) of chapter 132 of Title 42, The Public Health and Welfare, prior to editorial reclassification as subchapter I (§20301 et seq.) of chapter 203 of this title. For complete classification of this Act to the Code, see Short Title of 1990 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 14044b of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2015—Pub. L. 114-22 amended section generally. Prior to amendment, section related to pilot program for protection of juvenile victims of trafficking in persons.

2008—Subsec. (g). Pub. L. 110-457 substituted “2008 through 2011” for “2006 and 2007”.

**§ 20704. Grant accountability**

**(a) Definition**

In this section, the term “covered grant” means a grant awarded by the Attorney General under section 20703 of this title, as amended by section 103.

**(b) Accountability**

All covered grants shall be subject to the following accountability provisions:

**(1) Audit requirement**

**(A) In general**

Beginning in the first fiscal year beginning after May 29, 2015, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of a covered grant to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

**(B) Definition**

In this paragraph, the term “unresolved audit finding” means a finding in the final audit report of the Inspector General that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or

resolved within 12 months from the date when the final audit report is issued.

**(C) Mandatory exclusion**

A recipient of a covered grant that is found to have an unresolved audit finding shall not be eligible to receive a covered grant during the following 2 fiscal years.

**(D) Priority**

In awarding covered grants the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a covered grant.

**(E) Reimbursement**

If an entity is awarded a covered grant during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

(i) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

**(2) Nonprofit organization requirements**

**(A) Definition**

For purposes of this paragraph and covered grants, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of title 26 and is exempt from taxation under section 501(a) of title 26.

**(B) Prohibition**

The Attorney General may not award a covered grant to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of title 26.

**(C) Disclosure**

Each nonprofit organization that is awarded a covered grant and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

**(3) Conference expenditures**

**(A) Limitation**

No amounts transferred to the Department of Justice under this title,<sup>1</sup> or the amendments made by this title,<sup>1</sup> may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this

<sup>1</sup> See References in Text note below.

title,<sup>1</sup> or the amendments made by this title,<sup>1</sup> to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

**(B) Written approval**

Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio-visual equipment, honoraria for speakers, and any entertainment.

**(C) Report**

The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

**(D) Annual certification**

Beginning in the first fiscal year beginning after May 29, 2015, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

- (i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;
- (ii) all mandatory exclusions required under paragraph (1)(C) have been issued;
- (iii) all reimbursements required under paragraph (1)(E) have been made; and
- (iv) includes a list of any grant recipients excluded under paragraph (1) from the previous year.

**(4) Prohibition on lobbying activity**

**(A) In general**

Amounts awarded under this title,<sup>1</sup> or any amendments made by this title,<sup>1</sup> may not be utilized by any grant recipient to—

- (i) lobby any representative of the Department of Justice regarding the award of grant funding; or
- (ii) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

**(B) Penalty**

If the Attorney General determines that any recipient of a covered grant has violated subparagraph (A), the Attorney General shall—

- (i) require the grant recipient to repay the grant in full; and
- (ii) prohibit the grant recipient from receiving another covered grant for not less than 5 years.

(Pub. L. 114-22, title I, §117, May 29, 2015, 129 Stat. 245.)

REFERENCES IN TEXT

Section 103, referred to in subsec. (a), means section 103 of Pub. L. 114-22.

This title, referred to in subsec. (b)(3)(A), (4)(A), is title I of Pub. L. 114-22, May 29, 2015, 129 Stat. 228. For complete classification of title I to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 14044b-1 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 20705. Enhancing State and local efforts to combat trafficking in persons**

**(a) Establishment of grant program for law enforcement**

**(1) In general**

The Attorney General may make grants to States and local law enforcement agencies to establish, develop, expand, or strengthen programs—

(A) to investigate and prosecute acts of severe forms of trafficking in persons, and related offenses that occur, in whole or in part, within the territorial jurisdiction of the United States;

(B) to train law enforcement personnel how to identify victims of severe forms of trafficking in persons and related offenses;

(C) to investigate and prosecute persons who engage in the purchase of commercial sex acts and prioritize the investigations and prosecutions of those cases involving minor victims;

(D) to educate persons charged with, or convicted of, purchasing or attempting to purchase commercial sex acts; and

(E) to educate and train law enforcement personnel in how to establish trust of persons subjected to trafficking and encourage cooperation with prosecution efforts.

**(2) Definition**

In this subsection, the term “related offenses” includes violations of tax laws, transacting in illegally derived proceeds, money laundering, racketeering, and other violations of criminal laws committed in connection with an act of sex trafficking or a severe form of trafficking in persons.

**(b) Multi-disciplinary approach required**

Grants under subsection (a) may be made only for programs in which the State or local law enforcement agency works collaboratively with social service providers and relevant nongovernmental organizations, including organizations with experience in the delivery of services to persons who are the subject of trafficking in persons.

**(c) Limitation on Federal share**

The Federal share of a grant made under this section may not exceed 75 percent of the total costs of the projects described in the application submitted.

**(d) No limitation on section 20702 grant applications**

An entity that applies for a grant under section 20702 of this title is not prohibited from also applying for a grant under this section.