

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE

Pub. L. 109-162, title XI, § 1160(b), Jan. 5, 2006, 119 Stat. 3117, as amended by Pub. L. 109-271, § 8(n)(4)(A), Aug. 12, 2006, 120 Stat. 768, provided that: “This section [enacting this section] and the amendment made by this section take effect on October 1, 2006.”

**§ 10108. Availability of funds****(a) Period for awarding grant funds****(1) In general**

Unless otherwise specifically provided in an authorization, DOJ grant funds for a fiscal year shall remain available to be awarded and distributed to a grantee only in that fiscal year and the three succeeding fiscal years, subject to paragraphs (2) and (3). DOJ grant funds not so awarded and distributed shall revert to the Treasury.

**(2) Treatment of reprogrammed funds**

DOJ grant funds for a fiscal year that are reprogrammed in a later fiscal year shall be treated for purposes of paragraph (1) as DOJ grant funds for such later fiscal year.

**(3) Treatment of deobligated funds**

If DOJ grant funds were obligated and then deobligated, the period of availability that applies to those grant funds under paragraph (1) shall be extended by a number of days equal to the number of days from the date on which those grant funds were obligated to the date on which those grant funds were deobligated.

**(b) Period for expending grant funds**

DOJ grant funds for a fiscal year that have been awarded and distributed to a grantee may be expended by that grantee only in the period permitted under the terms of the grant. DOJ grant funds not so expended shall be deobligated.

**(c) Definition**

In this section, the term “DOJ grant funds” means, for a fiscal year, amounts appropriated for activities of the Department of Justice in carrying out grant programs for that fiscal year.

**(d) Applicability**

This section applies to DOJ grant funds for fiscal years beginning with fiscal year 2006.

(Pub. L. 90-351, title I, § 108, as added Pub. L. 109-162, title XI, § 1161(a), Jan. 5, 2006, 119 Stat. 3118; amended Pub. L. 109-271, § 8(g), Aug. 12, 2006, 120 Stat. 767.)

**Editorial Notes**

## CODIFICATION

Section was formerly classified to section 3712g of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

## AMENDMENTS

2006—Subsec. (b). Pub. L. 109-271 substituted “be deobligated” for “revert to the Treasury”.

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## EFFECTIVE DATE

Pub. L. 109-162, title XI, § 1161(b), Jan. 5, 2006, 119 Stat. 3118, as amended by Pub. L. 109-271, § 8(n)(4)(B), Aug. 12,

2006, 120 Stat. 768, provided that: “This section [enacting this section] and the amendment made by this section take effect on October 1, 2006.”

**§ 10109. Office of Audit, Assessment, and Management****(a) Establishment****(1) In general**

There is established within the Office an Office of Audit, Assessment, and Management, headed by a Director appointed by the Attorney General. In carrying out the functions of the Office, the Director shall be subject to the authority, direction, and control of the Attorney General. Such authority, direction, and control may be delegated only to the Assistant Attorney General, without redelegation.

**(2) Purpose**

The purpose of the Office shall be to carry out and coordinate program assessments of, take actions to ensure compliance with the terms of, and manage information with respect to, grants under programs covered by subsection (b). The Director shall take special conditions of the grant into account and consult with the office that issued those conditions to ensure appropriate compliance.

**(3) Exclusivity**

The Office shall be the exclusive element of the Department of Justice, other than the Inspector General, performing functions and activities for the purpose specified in paragraph (2). There are hereby transferred to the Office all functions and activities, other than functions and activities of the Inspector General, for such purpose performed immediately before January 5, 2006, by any other element of the Department.

**(b) Covered programs**

The programs referred to in subsection (a) are the following:

(1) The program under subchapter XVI of this chapter.

(2) Any grant program carried out by the Office of Justice Programs.

(3) Any other grant program carried out by the Department of Justice that the Attorney General considers appropriate.

**(c) Program assessments required****(1) In general**

The Director shall select grants awarded under the programs covered by subsection (b) and carry out program assessments on such grants. In selecting such grants, the Director shall ensure that the aggregate amount awarded under the grants so selected represent not less than 10 percent of the aggregate amount of money awarded under all such grant programs.

**(2) Relationship to NIJ evaluations**

This subsection does not affect the authority or duty of the Director of the National Institute of Justice to carry out overall evaluations of programs covered by subsection (b), except that such Director shall consult with the Director of the Office in carrying out such evaluations.