

ment for formerly incarcerated individuals, was revoked by Ex. Ord. No. 13826, §5, Mar. 7, 2018, 83 F.R. 10773.

### § 60502. Definitions

In this Act—

(1) the term “exoneree” means an individual who—

(A) has been convicted of a Federal, tribal, or State offense that is punishable by a term of imprisonment of more than 1 year;

(B) has served a term of imprisonment for not less than 6 months in a Federal, tribal, or State prison or correctional facility as a result of the conviction described in subparagraph (A); and

(C) has been determined to be factually innocent of the offense described in subparagraph (A);

(2) the term “Indian tribe” has the meaning given in section 10251 of this title;

(3) the term “offender” includes an exoneree; and

(4) the term “Transitional Jobs strategy” means an employment strategy for youth and adults who are chronically unemployed or those that have barriers to employment that—

(A) is conducted by State, tribal, and local governments, State, tribal, and local workforce boards, and nonprofit organizations;

(B) provides time-limited employment using individual placements, team placements, and social enterprise placements, without displacing existing employees;

(C) pays wages in accordance with applicable law, but in no event less than the higher of the rate specified in section 206(a)(1) of title 29 or the applicable State or local minimum wage law, which are subsidized, in whole or in part, by public funds;

(D) combines time-limited employment with activities that promote skill development, remove barriers to employment, and lead to unsubsidized employment such as a thorough orientation and individual assessment, job readiness and life skills training, case management and supportive services, adult education and training, child support-related services, job retention support and incentives, and other similar activities;

(E) places participants into unsubsidized employment; and

(F) provides job retention, re-employment services, and continuing and vocational education to ensure continuing participation in unsubsidized employment and identification of opportunities for advancement.

(Pub. L. 110–199, §4, Apr. 9, 2008, 122 Stat. 660; Pub. L. 115–391, title V, §502(g)(1), Dec. 21, 2018, 132 Stat. 5231.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 110–199, Apr. 9, 2008, 122 Stat. 657, known as the Second Chance Act of 2007: Community Safety Through Recidivism Prevention and also as the Second Chance Act of 2007. For complete classification of this Act to the Code, see Short Title of 2008 Act note set out under section 10101 of this title and Tables.

#### CODIFICATION

Section was formerly classified to section 17502 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

2018—Pub. L. 115–391 amended section generally. Prior to amendment, text read as follows: “In this Act, the term ‘Indian Tribe’ has the meaning given that term in section 10251 of this title.”

### § 60503. Submission of reports to Congress

Not later than January 31 of each year, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives each report required by the Attorney General under this Act or an amendment made by this Act during the preceding year.

(Pub. L. 110–199, §5, Apr. 9, 2008, 122 Stat. 660.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 110–199, Apr. 9, 2008, 122 Stat. 657, known as the Second Chance Act of 2007: Community Safety Through Recidivism Prevention and also as the Second Chance Act of 2007. For complete classification of this Act to the Code, see Short Title of 2008 Act note set out under section 10101 of this title and Tables.

#### CODIFICATION

Section was formerly classified to section 17503 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

### § 60504. Rule of construction

Nothing in this Act or an amendment made by this Act shall be construed as creating a right or entitlement to assistance or services for any individual, program, or grant recipient. Each grant made under this Act or an amendment made by this Act shall—

(1) be made as competitive grants<sup>1</sup> to eligible entities for a 12-month period, except that grants awarded under section 113<sup>2</sup>, section 60521 of this title, section 60531 of this title, and section 60532<sup>2</sup> of this title or under section 10631 of this title may be made for a 24-month period; and

(2) require that services for participants, when necessary and appropriate, be transferred from programs funded under this Act or the amendment made by this Act, respectively, to State and community-based programs not funded under this Act or the amendment made by this Act, respectively, before the expiration of the grant.

(Pub. L. 110–199, §6, Apr. 9, 2008, 122 Stat. 660; Pub. L. 115–391, title V, §502(h), Dec. 21, 2018, 132 Stat. 5231.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 110–199, Apr. 9, 2008, 122 Stat. 657, known as the Second Chance Act

<sup>1</sup> So in original. Probably should be “as a competitive grant”.

<sup>2</sup> See References in Text note below.

of 2007: Community Safety Through Recidivism Prevention and also as the Second Chance Act of 2007. For complete classification of this Act to the Code, see Short Title of 2008 Act note set out under section 10101 of this title and Tables.

Section 113, referred to in par. (1), means section 113 of Pub. L. 110-199. For complete classification of section 113 of Pub. L. 110-199 to the Code, see Tables.

Section 60532 of this title, referred to in par. (1), was repealed by Pub. L. 115-391, title V, §504(a), Dec. 21, 2018, 132 Stat. 5233.

#### CODIFICATION

Section was formerly classified to section 17504 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

2018—Par. (1). Pub. L. 115-391 inserted “or under section 10631 of this title” after “section 60532 of this title”.

### § 60505. Audit and accountability of grantees

#### (a) Definitions

In this section—

(1) the term “covered grant program” means grants awarded under section 60511, 60521, or 60531 of this title, as amended by this title;<sup>1</sup>

(2) the term “covered grantee” means a recipient of a grant from a covered grant program;

(3) the term “nonprofit”, when used with respect to an 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 such title; and

(4) the term “unresolved audit finding” means an audit report finding in a final audit report of the Inspector General of the Department of Justice that a covered grantee has used grant funds awarded to that grantee under a covered grant program for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during a 12-month period prior to the date on which the final audit report is issued.

#### (b) Audit requirement

Beginning in fiscal year 2019, and annually thereafter, the Inspector General of the Department of Justice shall conduct audits of covered grantees to prevent waste, fraud, and abuse of funds awarded under covered grant programs. The Inspector General shall determine the appropriate number of covered grantees to be audited each year.

#### (c) Mandatory exclusion

A grantee that is found to have an unresolved audit finding under an audit conducted under subsection (b) may not receive grant funds under a covered grant program in the fiscal year following the fiscal year to which the finding relates.

#### (d) Reimbursement

If a covered grantee is awarded funds under the covered grant program from which it received a grant award during the 1-fiscal-year period during which the covered grantee is ineligible for an allocation of grant funds under subsection (c), the Attorney General shall—

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

(2) seek to recoup the costs of the repayment to the Fund from the covered grantee that was improperly awarded the grant funds.

#### (e) Priority of grant awards

The Attorney General, in awarding grants under a covered grant program shall give priority to eligible entities that during the 2-year period preceding the application for a grant have not been found to have an unresolved audit finding.

#### (f) Nonprofit requirements

##### (1) Prohibition

A nonprofit organization that holds money in offshore accounts for the purpose of avoiding the tax described in section 511(a) of title 26, shall not be eligible to receive, directly or indirectly, any funds from a covered grant program.

##### (2) Disclosure

Each nonprofit organization that is a covered grantee shall disclose in its application for such a grant, as a condition of receipt of such a grant, the compensation of its officers, directors, and trustees. Such disclosure shall include a description of the criteria relied on to determine such compensation.

#### (g) Prohibition on lobbying activity

##### (1) In general

Amounts made available under a covered grant program may not be used by any covered grantee to—

(A) lobby any representative of the Department of Justice regarding the award of grant funding; or

(B) lobby any representative of the Federal Government or a State, local, or tribal government regarding the award of grant funding.

##### (2) Penalty

If the Attorney General determines that a covered grantee has violated paragraph (1), the Attorney General shall—

(A) require the covered grantee to repay the grant in full; and

(B) prohibit the covered grantee from receiving a grant under the covered grant program from which it received a grant award during at least the 5-year period beginning on the date of such violation.

(Pub. L. 115-391, title V, §503, Dec. 21, 2018, 132 Stat. 5232.)

#### Editorial Notes

##### REFERENCES IN TEXT

As amended by this title, referred to in subsec. (a)(1), means as amended by title V of Pub. L. 115-391.

### § 60506. Federal interagency reentry coordination

#### (a) Reentry coordination

The Attorney General, in consultation with the Secretary of Housing and Urban Develop-

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