

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 (1), was repealed by Pub.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;¹

(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-

¹ See References in Text note below.