

210302(c)(4) of Pub. L. 103-322, set out as an Effective Date note under section 10511 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as an Effective Date note under section 10101 of this title.

CONSTRUCTION OF 2008 AMENDMENT

For construction of amendments by Pub. L. 110-199 and requirements for grants made under such amendments, see section 60504 of this title.

USE OF FUNDS AVAILABLE UNDER FORMER SUBSECTION (a)(20)

Pub. L. 104-134, title I, §101[(a)] [title I, §114(b)(1)(B)(ii)], Apr. 26, 1996, 110 Stat. 1321, 1321-21, provided that: “Notwithstanding the provisions of subparagraph (A) [repealing sections 3796ii to 3796ii-8 of Title 42, The Public Health and Welfare], any funds that remain available to an applicant under paragraph (20) of [section 1001(a) of] title I of the Omnibus Crime Control and Safe Streets Act of 1968 [former 42 U.S.C. 3793(a)(20)] shall be used in accordance with part V of [title I of] such Act [former 42 U.S.C. 3796ii to 3796ii-8] as if [sic] such Act [part] was in effect on the day preceding the date of enactment of this Act [Apr. 26, 1996].”

FINANCIAL SUPPORT FOR PROGRAMS, ETC., DEVOTED TO INTERNATIONAL ASPECTS OF CRIME PREVENTION AND CRIMINAL JUSTICE

Pub. L. 96-132, §20(a), Nov. 30, 1979, 93 Stat. 1049, provided that: “The National Institute of Justice, the Bureau of Justice Statistics, and the Law Enforcement Assistance Administration are authorized to use funds, and to authorize States to use funds, for programs, projects or events devoted to the international aspects of crime prevention and criminal justice.”

§ 10262. State and local governments to consider courts

The Attorney General may require, as appropriate, that whenever a State or unit of local government or Indian tribe applies for a grant from the Department of Justice, the State, unit, or tribe demonstrate that, in developing the application and distributing funds, the State, unit, or tribe—

- (1) considered the needs of the judicial branch of the State, unit, or tribe, as the case may be;
- (2) consulted with the chief judicial officer of the highest court of the State, unit, or tribe, as the case may be; and
- (3) consulted with the chief law enforcement officer of the law enforcement agency responsible for the security needs of the judicial branch of the State, unit, or tribe, as the case may be.

(Pub. L. 110-177, title III, §302(c), Jan. 7, 2008, 121 Stat. 2539.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Court Security Improvement Act of 2007, and not as part of title I of the Omnibus Crime Control and Safe Streets Act of 1968 which comprises this chapter.

Section was formerly classified to section 3702 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 10263. Oversight and accountability

All grants awarded by the Department of Justice that are authorized under this Act shall be subject to the following:

(1) Audit requirement

Beginning in fiscal year 2016, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act 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.

(2) Mandatory exclusion

A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) Priority

In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) Reimbursement

If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

- (A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and
- (B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(5) Defined term

In this section, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) Nonprofit organization requirements

(A) Definition

For purposes of this section and the grant programs described in this Act, 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 such title.

(B) Prohibition

The Attorney General shall not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the