

and applicable only with respect to fiscal years beginning on or after the first day of the first fiscal year that begins after Nov. 2, 2002, see section 12223 of Pub. L. 107-273, as amended, set out as a note under section 11101 of this title.

§ 20306. Authorization of appropriations

There are authorized to be appropriated to carry out sections 20303, 20304, and 20305 of this title, \$40,000,000 for each of fiscal years 2022 through 2028.

(Pub. L. 101-647, title II, §214B, as added Pub. L. 117-354, §3(6), Jan. 5, 2023, 136 Stat. 6277.)

Editorial Notes

PRIOR PROVISIONS

A prior section 20306, Pub. L. 101-647, title II, §214B, formerly §214, Nov. 29, 1990, 104 Stat. 4794; renumbered §214B and amended Pub. L. 102-586, §6(b)(1), (e), Nov. 4, 1992, 106 Stat. 5029, 5034; Pub. L. 104-235, title II, §232, Oct. 3, 1996, 110 Stat. 3092; Pub. L. 108-21, title III, §381(b), Apr. 30, 2003, 117 Stat. 667; Pub. L. 113-163, §2(a), Aug. 8, 2014, 128 Stat. 1864; Pub. L. 115-424, §2(f), Jan. 7, 2019, 132 Stat. 5469, which authorized appropriations for sections 20303, 20304, and 20305 of this title for fiscal years 2019 through 2023, was repealed by Pub. L. 117-354, §3(6), Jan. 5, 2023, 136 Stat. 6277.

§ 20307. Accountability

(a) In general

All grants awarded by the Administrator under this subchapter shall be subject to the following accountability provisions:

(1) Audit requirement

(A) Definition

In this paragraph, the term “unresolved audit finding” means a finding in the final audit report of the Inspector General of the Department of Justice 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 and any appeal has been completed.

(B) Audit

The Inspector General of the Department of Justice shall conduct audits of recipients of grants under this subchapter 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.

(C) Mandatory exclusion

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

(D) Priority

In awarding grants under this subchapter, the Administrator 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 grant under this subchapter.

(E) Reimbursement

If an entity is awarded grant funds under this subchapter during the 2-fiscal-year pe-

riod in which the entity is barred from receiving grants under paragraph (2), the Administrator 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, 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 Administrator may not award a grant under any grant program described in this subchapter 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 grant under this subchapter 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 Administrator, 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 Administrator shall make the information disclosed under this subparagraph available for public inspection.

(3) Conference expenditures

(A) Limitation

No amounts authorized to be appropriated to the Department of Justice under this subchapter may be used by the Administrator, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, 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, including the Administrator, provides prior written authorization through an award process or subsequent application 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.

(b) Reporting

Not later than March 1 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 a report that—

(1) summarizes the efforts of the Administrator to monitor and evaluate the regional children's advocacy program activities under section 20303(d) of this title;

(2) describes—

(A) the method by which amounts are allocated to grantees and subgrantees under this subchapter, including to local children's advocacy centers, State chapters, and regional children's advocacy program centers; and

(B) steps the Attorney General has taken to minimize duplication and overlap in the awarding of amounts under this subchapter; and

(3) analyzes the extent to which both rural and urban populations are served under the regional children's advocacy program.

(Pub. L. 101-647, title II, §214C, as added Pub. L. 113-163, §2(b), Aug. 8, 2014, 128 Stat. 1864; amended Pub. L. 115-424, §2(g), Jan. 7, 2019, 132 Stat. 5469.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsec. (a)(3)(A), probably means the Victims of Child Abuse Act of 1990, title II of Pub. L. 101-647, Nov. 29, 1990, 104 Stat. 4792, which is classified principally to this chapter. For complete classification of title II 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 13005 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2019—Pub. L. 115-424 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

SUBCHAPTER II—COURT-APPOINTED
SPECIAL ADVOCATE PROGRAM

§ 20321. Findings

The Congress finds that—

(1) Court Appointed Special Advocates, who may serve as guardians ad litem, are trained volunteers appointed by courts to advocate for the best interests of children who are involved in the juvenile and family court system due to abuse or neglect; and

(2) in 2003, Court Appointed Special Advocate volunteers represented 288,000 children, more than 50 percent of the estimated 540,000 children in foster care because of substantiated cases of child abuse or neglect.

(Pub. L. 101-647, title II, §215, Nov. 29, 1990, 104 Stat. 4794; Pub. L. 109-162, title I, §112(a), Jan. 5, 2006, 119 Stat. 2985.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 13011 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2006—Pars. (1), (2). Pub. L. 109-162 added pars. (1) and (2) and struck out former pars. (1) and (2), which read as follows:

“(1) the National Court-Appointed Special Advocate provides training and technical assistance to a network of 13,000 volunteers in 377 programs operating in 47 States; and

“(2) in 1988, these volunteers represented 40,000 children, representing approximately 15 percent of the estimated 270,000 cases of child abuse and neglect in juvenile and family courts.”

§ 20322. Purpose

The purpose of this subchapter is to ensure that by January 1, 2015, a court-appointed special advocate shall be available to every victim of child abuse or neglect in the United States that needs such an advocate.

(Pub. L. 101-647, title II, §216, Nov. 29, 1990, 104 Stat. 4794; Pub. L. 103-322, title IV, §40156(a)(2), Sept. 13, 1994, 108 Stat. 1923; Pub. L. 109-162, title I, §112(b), Jan. 5, 2006, 119 Stat. 2986; Pub. L. 113-4, title I, §106(1), Mar. 7, 2013, 127 Stat. 77.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 13012 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2013—Pub. L. 113-4 substituted “January 1, 2015” for “January 1, 2010”.

2006—Pub. L. 109-162 substituted “January 1, 2010” for “January 1, 1995”.

1994—Pub. L. 103-322 made technical amendment to reference to this subchapter to correct reference to corresponding provision of original act.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 113-4 not effective until the beginning of the fiscal year following Mar. 7, 2013, see section 4 of Pub. L. 113-4, set out as a note under section 2261 of Title 18, Crimes and Criminal Procedure.

§ 20323. Strengthening of court-appointed special advocate program

(a) In general

The Administrator of the Office of Juvenile Justice and Delinquency Prevention shall make grants to initiate, sustain, and expand the court-appointed special advocate program.

(b) Grantee organizations

(1) An organization to which a grant is made pursuant to subsection (a)—

(A) shall be a national organization that has broad membership among court-appointed special advocates and has demonstrated experience in grant administration of court-appointed special advocate programs and in providing training and technical assistance to court-appointed special advocate program; or