

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 grants¹ to eligible entities for a 12-month period, except that grants awarded under section 113², section 60521 of this title, section 60531 of this title, and section 60532² 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

¹ So in original. Probably should be “as a competitive grant”.

² 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;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 See References in Text note below.

(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-

ment, the Secretary of Labor, the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Veterans Affairs, the Secretary of Agriculture, and the heads of such other agencies of the Federal Government as the Attorney General considers appropriate, and in collaboration with interested persons, service providers, nonprofit organizations, and State, tribal, and local governments, shall coordinate on Federal programs, policies, and activities relating to the reentry of individuals returning from incarceration to the community, with an emphasis on evidence-based practices and protection against duplication of services.

(b) Report

Not later than 2 years after December 21, 2018, the Attorney General, in consultation with the Secretaries listed in subsection (a), shall submit to Congress a report summarizing the achievements under subsection (a), and including recommendations for Congress that would further reduce barriers to successful reentry.

(Pub. L. 115–391, title V, §505, Dec. 21, 2018, 132 Stat. 5234.)

SUBCHAPTER I—NEW AND INNOVATIVE PROGRAMS TO IMPROVE OFFENDER REENTRY SERVICES

§ 60511. Careers training demonstration grants

(a) Authority to make grants

From amounts made available to carry out this section, the Attorney General shall make grants to States, units of local government, territories, nonprofit organizations, and Indian Tribes to provide career training, including subsidized employment, when part of a training program, to prisoners and reentering youth and adults.

(b) Use of funds

Grants awarded under subsection (a) may be used for establishing a program to train prisoners for jobs and careers during the 3-year period before release from prison, jail, or a juvenile facility, as well as upon transition and reentry into the community.

(c) Priority consideration

Priority consideration shall be given to any application under this section that—

(1) provides assessment of local demand for employees in the geographic areas to which offenders are likely to return;

(2) conducts individualized reentry career planning upon the start of incarceration or post-release employment planning for each offender served under the grant;

(3) demonstrates connections to employers within the local community; or

(4) tracks and monitors employment outcomes.

(d) Control of Internet access

An entity that receives a grant under subsection (a) shall restrict access to the Internet by prisoners, as appropriate, to ensure public safety.

(e) Reports

Not later than the last day of each fiscal year, an entity that receives a grant under subsection