

42 U.S.C.A. § 3712h

Effective: [See Notes]

United States Code Annotated Currentness  
Title 42. The Public Health and Welfare  
    § Chapter 46. Justice System Improvement (Refs & Annos)  
        § Subchapter I. Office of Justice Programs

→ § 3712h. Office of Audit, Assessment, and Management

(a) Establishment

(1) In general

There is established within the Office an Office of Audit, Assessment, and Management, headed by a Director appointed by the Attorney General. In carrying out the functions of the Office, the Director shall be subject to the authority, direction, and control of the Attorney General. Such authority, direction, and control may be delegated only to the Assistant Attorney General, without redelegation.

(2) Purpose

The purpose of the Office shall be to carry out and coordinate program assessments of, take actions to ensure compliance with the terms of, and manage information with respect to, grants under programs covered by subsection (b) of this section. The Director shall take special conditions of the grant into account and consult with the office that issued those conditions to ensure appropriate compliance.

(3) Exclusivity

The Office shall be the exclusive element of the Department of Justice, other than the Inspector General, performing functions and activities for the purpose specified in paragraph (2). There are hereby transferred to the Office all functions and activities, other than functions and activities of the Inspector General, for such purpose performed immediately before January 5, 2006, by any other element of the Department.

(b) Covered programs

The programs referred to in subsection (a) of this section are the following:

(1) The program under subchapter XII-E of this chapter.

(2) Any grant program carried out by the Office of Justice Programs.

(3) Any other grant program carried out by the Department of Justice that the Attorney General considers appropriate.

(c) Program assessments required

(1) In general

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The Director shall select grants awarded under the programs covered by subsection (b) of this section and carry out program assessments on such grants. In selecting such grants, the Director shall ensure that the aggregate amount awarded under the grants so selected represent not less than 10 percent of the aggregate amount of money awarded under all such grant programs.

## (2) Relationship to NIJ evaluations

This subsection does not affect the authority or duty of the Director of the National Institute of Justice to carry out overall evaluations of programs covered by subsection (b) of this section, except that such Director shall consult with the Director of the Office in carrying out such evaluations.

## (3) Timing of program assessments

The program assessment required by paragraph (1) of a grant selected under paragraph (1) shall be carried out--

(A) not later than the end of the grant period, if the grant period is not more than 1 year; and

(B) at the end of each year of the grant period, if the grant period is more than 1 year.

## (d) Compliance actions required

The Director shall take such actions to ensure compliance with the terms of a grant as the Director considers appropriate with respect to each grant that the Director determines (in consultation with the head of the element of the Department of Justice concerned), through a program assessment under subsection (a) of this section or other means, is not in compliance with such terms. In the case of a misuse of more than 1 percent of the grant amount concerned, the Director shall, in addition to any other action to ensure compliance that the Director considers appropriate, ensure that the entity responsible for such misuse ceases to receive any funds under any program covered by subsection (b) of this section until such entity repays to the Attorney General an amount equal to the amounts misused. The Director may, in unusual circumstances, grant relief from this requirement to ensure that an innocent party is not punished.

## (e) Grant management system

The Director shall establish and maintain, in consultation with the chief information officer of the Office, a modern, automated system for managing all information relating to the grants made under the programs covered by subsection (b) of this section.

## (f) Availability of funds

Not to exceed 3 percent of all funding made available for a fiscal year for the programs covered by subsection (b) of this section shall be reserved for the Office of Audit, Assessment and Management for the activities authorized by this section.

## CREDIT(S)

(Pub.L. 90-351, Title I, § 109, formerly § 105, as added Pub.L. 109-162, Title XI, § 1158(a), Jan. 5, 2006, 119 Stat. 3114; renumbered § 109, Pub.L. 109-271, § 8(e), Aug. 12, 2006, 120 Stat. 766.)

## HISTORICAL AND STATUTORY NOTES

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Revision Notes and Legislative Reports

2006 Acts. House Report No. 109-233, see 2005 U.S. Code Cong. and Adm. News, p. 1636.

References in Text

Subchapter XII-E of this chapter, referred to in subsec. (b)(1), originally read "part Q of this title", meaning Pub.L. 90-351, Title I, Part Q (§§ 1701 to 1709), as added Pub.L. 103-322, Title I, § 10003(a)(3), Sept. 13, 1994, 108 Stat. 1808, as amended, which is principally classified to subchapter XII-E of this chapter, 42 U.S.C.A. § 3796dd et seq.

Effective and Applicability Provisions

2006 Acts. Pub.L. 109-162, Title XI, § 1158(b), Jan. 5, 2006, 119 Stat. 3116, as amended Pub.L. 109-271, § 8(n)(3), Aug. 12, 2006, 120 Stat. 768, provided that:

**"(1) In general.**--Except as provided in paragraph (2), section 109 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712d) shall take effect on April 5, 2006.

**"(2) Certain provisions.**--Subsections (c), (d), and (e) of section 109 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712d) [now this section] shall take effect on October 1, 2006."

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Current through P.L. 109-382 (excluding P.L. 109-304, P.L. 109-364)  
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