

Par. (4). Pub. L. 111-13, §1303(3), substituted “section 12572(a)(1)(B)(vi)” for “section 12572(a)(3)”.

Par. (5). Pub. L. 111-13, §1303(4), inserted “National” before “Civilian Community Corps”.

Pars. (7), (8). Pub. L. 111-13, §1303(5), (6), added par. (7) and redesignated former par. (7) as (8).

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111-13 effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111-13, set out as a note under section 4950 of this title.

§ 12574. Types of program assistance

(a) Planning assistance

The Corporation may provide assistance under section 12571 of this title to a qualified applicant that submits an application under section 12582 of this title for the planning of a national service program. Assistance provided in accordance with this subsection may cover a period of not more than 1 year.

(b) Operational assistance

The Corporation may provide assistance under section 12571 of this title to a qualified applicant that submits an application under section 12582 of this title for the establishment, operation, or expansion of a national service program. Assistance provided in accordance with this subsection may cover a period of not more than 3 years, but may be renewed by the Corporation upon consideration of a new application under section 12582 of this title.

(c) Replication assistance

The Corporation may provide assistance under section 12571 of this title to a qualified applicant that submits an application under section 12582 of this title for the expansion of a proven national service program to another geographical location. Assistance provided in accordance with this subsection may cover a period of not more than 3 years, but may be renewed by the Corporation upon consideration of a new application under section 12582 of this title.

(d) Application to subgrants

The requirements of this section shall apply to any State or other applicant receiving assistance under section 12571 of this title that proposes to conduct a grant program using the assistance to support other national service programs.

(Pub. L. 101-610, title I, §124, as added Pub. L. 103-82, title I, §101(b), Sept. 21, 1993, 107 Stat. 794.)

PRIOR PROVISIONS

A prior section 12574, Pub. L. 101-610, title I, §144, Nov. 16, 1990, 104 Stat. 3152, related to terms of service for national and community service, prior to the general amendment of subtitle D of title I of Pub. L. 101-610 [former part D of this subchapter] by Pub. L. 103-82, §102(a).

A prior section 124 of Pub. L. 101-610 was renumbered section 199D, and is classified to section 12655c of this title.

§ 12575. Repealed. Pub. L. 111-13, title I, §1304, Apr. 21, 2009, 123 Stat. 1500

Section, Pub. L. 101-610, title I, §125, as added Pub. L. 103-82, title I, §101(b), Sept. 21, 1993, 107 Stat. 795, related to training and technical assistance.

A prior section 12575, Pub. L. 101-610, title I, §145, Nov. 16, 1990, 104 Stat. 3153; Pub. L. 102-10, §6(a), Mar. 12, 1991, 105 Stat. 31, related to eligibility for part-time, full-time, and special senior service in national and community service program, prior to the general amendment of subtitle D of title I of Pub. L. 101-610 (former part D of this subchapter) by Pub. L. 103-82.

PRIOR PROVISIONS

A prior section 125 of Pub. L. 101-610 was renumbered section 199E, and is classified to section 12655d of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111-13, set out as an Effective Date of 2009 Amendment note under section 4950 of this title.

§ 12576. Other special assistance

(a) Support for State Commissions

(1) Grants authorized

From amounts appropriated for a fiscal year pursuant to the authorization of appropriation in section 12681(a)(5) of this title, the Corporation may make a grant in an amount between \$250,000 and \$1,000,000 to a State to assist the State to establish or operate the State Commission on National and Community Service required to be established by the State under section 12638 of this title.

(2) Matching requirement

In making a grant to a State under this subsection, the Corporation shall require the State to agree to provide matching funds from non-Federal sources of not less than \$1 for every \$1 provided by the Corporation through the grant.

(3) Alternative

Notwithstanding paragraph (2), the Chief Executive Officer may permit a State that demonstrates hardship or a new State Commission to meet alternative matching requirements for such a grant as follows:

(A) First \$100,000

For the first \$100,000 of grant funds provided by the Corporation, the State involved shall not be required to provide matching funds.

(B) Amounts greater than \$100,000

For grant amounts of more than \$100,000 and not more than \$250,000 provided by the Corporation, the State shall agree to provide matching funds from non-Federal sources of not less than \$1 for every \$2 provided by the Corporation, in excess of \$100,000.

(C) Amounts greater than \$250,000

For grant amounts of more than \$250,000 provided by the Corporation, the State shall agree to provide matching funds from non-Federal sources of not less than \$1 for every \$1 provided by the Corporation, in excess of \$250,000.

(b) Disaster service

The Corporation may undertake activities, including activities carried out through part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), to involve programs

that receive assistance under the national service laws in disaster relief efforts, and to support, including through mission assignments under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), nonprofit organizations and public agencies responding to the needs of communities experiencing disasters.

(c) Challenge grants for national service programs

(1) Assistance authorized

The Corporation may make challenge grants under this subsection to programs supported under the national service laws.

(2) Selection criteria

The Corporation shall develop criteria for the selection of recipients of challenge grants under this subsection, so as to make the grants widely available to a variety of programs that—

(A) are high-quality national service programs; and

(B) are carried out by entities with demonstrated experience in establishing and implementing projects that provide benefits to participants and communities.

(3) Amount of assistance

A challenge grant under this subsection may provide, for an initial 3-year grant period, not more than \$1 of assistance under this subsection for each \$1 in cash raised from private sources by the program supported under the national service laws in excess of amounts required to be provided by the program to satisfy matching funds requirements. After an initial 3-year grant period, a grant under this subsection may provide not more than \$1 of assistance under this subsection for each \$2 in cash raised from private sources by the program in excess of amounts required to be provided by the program to satisfy matching funds requirements. The Corporation may permit the use of local or State funds under this paragraph in lieu of cash raised from private sources if the Corporation determines that such use would be equitable due to a lack of available private funds at the local level. The Corporation shall establish a ceiling on the amount of assistance that may be provided to a national service program under this subsection.

(Pub. L. 101-610, title I, §126, as added Pub. L. 103-82, title I, §101(b), Sept. 21, 1993, 107 Stat. 795; amended Pub. L. 111-13, title I, §1305, Apr. 21, 2009, 123 Stat. 1500.)

REFERENCES IN TEXT

The Domestic Volunteer Service Act of 1973, referred to in subsec. (b), is Pub. L. 93-113, Oct. 1, 1973, 87 Stat. 394. Part A of title I of the Act is classified generally to part A (§4951 et seq.) of subchapter I of chapter 66 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4950 of this title and Tables.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in subsec. (b), is Pub. L. 93-288, May 22, 1974, 88 Stat. 143, which is classified principally to chapter 68 (§5121 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of this title and Tables.

PRIOR PROVISIONS

Prior sections 12576 to 12580, which related to national and community service, were omitted in the general amendment of subtitle D of title I of Pub. L. 101-610 [former part D of this subchapter] by Pub. L. 103-82, §102(a).

Section 12576, Pub. L. 101-610, title I, §146, Nov. 16, 1990, 104 Stat. 3153; Pub. L. 102-10, §6(b), Mar. 12, 1991, 105 Stat. 31; Pub. L. 102-325, title XV, §1557, July 23, 1992, 106 Stat. 841, related to post-service benefits.

A prior section 126 of Pub. L. 101-610 was renumbered section 199F and is classified to section 12655e of this title.

Section 12577, Pub. L. 101-610, title I, §147, Nov. 16, 1990, 104 Stat. 3154, related to living allowances for participants.

Section 12578, Pub. L. 101-610, title I, §148, Nov. 16, 1990, 104 Stat. 3155, related to training of participants.

Section 12579, Pub. L. 101-610, title I, §149, Nov. 16, 1990, 104 Stat. 3156, related to cooperation between public and private entities.

Section 12580, Pub. L. 101-610, title I, §150, Nov. 16, 1990, 104 Stat. 3156, related to in-service education benefits.

AMENDMENTS

2009—Subsec. (a)(1). Pub. L. 111-13, §1305(1)(A), substituted “\$250,000 and \$1,000,000” for “\$125,000 and \$750,000” and “12681(a)(5)” for “12681(a)(4)”.

Subsec. (a)(2), (3). Pub. L. 111-13, §1305(1)(B), added pars. (2) and (3) and struck out former par. (2). Text of former par. (2) read as follows: “Notwithstanding the amounts specified in paragraph (1), the amount of a grant that may be provided to a State Commission under this subsection, together with other Federal funds available to establish or operate the State Commission, may not exceed—

“(A) 85 percent of the total cost to establish or operate the State Commission for the first year for which the State Commission receives assistance under this subsection; and

“(B) such smaller percentage of such cost as the Corporation may establish for the second, third, and fourth years of such assistance in order to ensure that the Federal share does not exceed 50 percent of such costs for the fifth year, and any subsequent year, for which the State Commission receives assistance under this subsection.”

Subsec. (b). Pub. L. 111-13, §1305(2), added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “The Corporation may undertake activities, including activities carried out through part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), to involve in disaster relief efforts youth corps programs described in section 12572(a)(2) of this title and other programs that receive assistance under the national service laws.”

Subsec. (c)(1). Pub. L. 111-13, §1305(3)(A), substituted “to programs supported under the national service laws” for “to national service programs that receive assistance under section 12571 of this title”.

Subsec. (c)(3). Pub. L. 111-13, §1305(3)(B), added par. (3) and struck out former par. (3). Prior to amendment, text read as follows: “A challenge grant under this subsection may provide not more than \$1 of assistance under this subsection for each \$1 in cash raised by the national service program from private sources in excess of amounts required to be provided by the program to satisfy matching funds requirements under section 12571(e) of this title. The Corporation shall establish a ceiling on the amount of assistance that may be provided to a national service program under this subsection.”

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111-13 effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111-13, set out as a note under section 4950 of this title.

PART II—APPLICATION AND APPROVAL PROCESS

§ 12581. Provision of assistance and approved national service positions**(a) One percent allotment for certain territories**

Of the funds allocated by the Corporation for provision of assistance under section 12571(a) of this title for a fiscal year, the Corporation shall reserve 1 percent for grants to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands upon approval by the Corporation of an application submitted under section 12582 of this title. The Corporation shall allot for a grant to each such territory under this subsection for a fiscal year an amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the territory bears to the total population of all such territories.

(b) Allotment for Indian tribes

Of the funds allocated by the Corporation for provision of assistance under section 12571(a) of this title for a fiscal year, the Corporation shall reserve at least 1 percent for grants to Indian tribes to be allotted by the Corporation on a competitive basis.

(c) Reservation of approved positions

The Corporation shall ensure that each individual selected during a fiscal year for assignment as a VISTA volunteer under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or as a participant in the National Civilian Community Corps Program under division E shall receive the national service educational award described in division D if the individual satisfies the eligibility requirements for the award. Funds for approved national service positions required by this paragraph for a fiscal year shall be deducted from the total funding for approved national service positions to be available for distribution under subsections (d) and (e) for that fiscal year.

(d) Allotment for competitive grants**(1) In general**

Of the funds allocated by the Corporation for provision of assistance under section 12571(a) of this title for a fiscal year and subject to section 12585(d)(3) of this title, the Corporation shall reserve not more than 62.7 percent for grants awarded on a competitive basis to States specified in subsection (e)(1) for national service programs, to nonprofit organizations seeking to operate a national service program in 2 or more of those States, and to Indian tribes.

(2) Equitable treatment

In the consideration of applications for such grants, the Corporation shall ensure the equitable treatment of applicants from urban areas, applicants from rural areas, applicants of diverse sizes (as measured by the number of participants served), applicants from States, and applicants from national nonprofit organizations.

(3) Encore service programs

In making grants under this subsection for a fiscal year, the Corporation shall make an ef-

fort to allocate not less than 10 percent of the financial assistance and approved national service positions provided through the grants for that fiscal year to eligible entities proposing to carry out encore service programs, unless the Corporation does not receive a sufficient number of applications of adequate quality to justify making that percentage available to those eligible entities.

(4) Corps programs

In making grants under this subsection for a fiscal year, the Corporation—

(A) shall select 2 or more of the national service corps described in section 12572(a) of this title to receive grants under this subsection; and

(B) may select national service programs described in section 12572(b) of this title to receive such grants.

(e) Allotment to certain States on formula basis**(1) Grants**

Of the funds allocated by the Corporation for provision of assistance under section 12571(a) of this title for a fiscal year, the Corporation shall make a grant to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that submits an application under section 12582 of this title that is approved by the Corporation.

(2) Allotments

The Corporation shall allot for a grant to each such State under this subsection for a fiscal year an amount that bears the same ratio to 35.3 percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, in compliance with paragraph (3).

(3) Minimum amount

Notwithstanding paragraph (2), the minimum grant made available to each State approved by the Corporation under paragraph (1) for each fiscal year shall be at least \$600,000, or 0.5 percent of the amount allocated for the State formula under this subsection for the fiscal year, whichever is greater.

(f) Effect of failure to apply

If a State or territory fails to apply for, or fails to give notice to the Corporation of its intent to apply for, an allotment under this section, or the Corporation does not approve the application consistent with section 12585 of this title, the Corporation may use the amount that would have been allotted under this section to the State or territory to—

(1) make grants (and provide approved national service positions in connection with such grants) to other community-based entities under section 12571 of this title that propose to carry out national service programs in such State or territory; and

(2) make reallotments to other States or territories with approved applications submitted under section 12582 of this title, from the allotment funds not used to make grants as described in paragraph (1).