

gram. The purpose of this part is to strengthen and supplement efforts to eliminate and alleviate poverty and poverty-related problems in the United States by encouraging and enabling persons from all walks of life, all geographical areas, and all age groups, including low-income individuals, elderly and retired Americans, to perform meaningful and constructive volunteer service in agencies, institutions, and situations where the application of human talent and dedication may assist in the solution of poverty and poverty-related problems and secure and increase opportunities for self-advancement by persons affected by such problems. In addition, the objectives of this part are to generate the commitment of private sector resources, to encourage volunteer service at the local level, to support efforts by local agencies and community organizations to achieve long-term sustainability of projects, and to strengthen local agencies and community organizations to carry out the objectives of this part.

(Pub. L. 93-113, title I, § 101, Oct. 1, 1973, 87 Stat. 396; Pub. L. 98-288, § 2, May 21, 1984, 98 Stat. 189; Pub. L. 103-82, title III, § 321, Sept. 21, 1993, 107 Stat. 899; Pub. L. 111-13, title II, § 2101, Apr. 21, 2009, 123 Stat. 1581.)

AMENDMENTS

2009—Pub. L. 111-13 substituted in second sentence “increase opportunities for self-advancement by persons affected by such problems.” for “exploit opportunities for self-advancement by persons afflicted with such problems.” and in third sentence “at the local level, to support efforts by local agencies and community organizations to achieve long-term sustainability of projects, and to strengthen local agencies and community organizations to carry out the objectives of this part.” for “at the local level, and to strengthen local agencies and organizations to carry out the purpose of this part.”

1993—Pub. L. 103-82 amended last sentence generally. Prior to amendment last sentence read as follows: “In addition the objective of this part is to generate the commitment of private sector resources and to encourage volunteer service at the local level to carry out the purposes set forth in this section.”

1984—Pub. L. 98-288, in second sentence, inserted “and alleviate” after “eliminate”, struck out “human, social, and environmental” after “poverty-related”, inserted “, all geographical areas,” after “all walks of life” and “low-income individuals,” before “elderly”, and inserted at end “In addition the objective of this part is to generate the commitment of private sector resources and to encourage volunteer service at the local level to carry out the purposes set forth in this section.”

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.

EFFECTIVE DATE OF 1993 AMENDMENT

Pub. L. 103-82, title III, § 392, Sept. 21, 1993, 107 Stat. 917, provided that: “This subtitle [subtitle B (§§ 311-392) of title III of Pub. L. 103-82, enacting sections 5028, 5028a, and 5065 of this title, amending this section, sections 4952 to 4955, 4957, 4959, 4960, 4971 to 4973, 4992, 4993, 5000, 5001, 5011, 5013, 5021, 5024 to 5026, 5041 to 5044, 5055, 5057, 5062, 5081, 5082, and 5084 of this title, and sections 8143, 8332, 8334, 8411, and 8422 of Title 5, Government Organization and Employees, repealing sections 4974, 4994, 5012, 5047, 5060, and 5091 of this title, enacting provisions set out as notes under sections 4950 and 4952

of this title and section 8332 of Title 5, and amending provisions set out as notes under sections 4950 and 5001 of this title] shall become effective on October 1, 1993.”

§ 4952. Authority to operate VISTA program

This part shall be administered by one of the Assistant Directors appointed pursuant to section 12651e(d)(1)(A) of this title. Such Director may recruit, select, and train persons to serve in full-time volunteer programs consistent with the provisions and to carry out the purpose of this part.

(Pub. L. 93-113, title I, § 102, Oct. 1, 1973, 87 Stat. 396; Pub. L. 98-288, § 3, May 21, 1984, 98 Stat. 189; Pub. L. 101-204, title I, § 101(d)(1), Dec. 7, 1989, 103 Stat. 1811; Pub. L. 103-82, title III, § 322(a), Sept. 21, 1993, 107 Stat. 899.)

AMENDMENTS

1993—Pub. L. 103-82 substituted “This part shall be administered by one of the Assistant Directors appointed pursuant to section 12651e(d)(1)(A) of this title. Such Director” for “The Director”.

1989—Pub. L. 101-204 struck out subsec. (a) designation before “The Director may”, struck out subsec. (b) which related to replacement of applicants who become unavailable for service, and struck out subsec. (c) which related to age quotas.

1984—Subsec. (a). Pub. L. 98-288 designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

EFFECTIVE DATE OF 1993 AMENDMENT

Pub. L. 103-82, title III, § 322(b), Sept. 21, 1993, 107 Stat. 899, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on the effective date of section 203(b).” [Section 203(b) of Pub. L. 103-82 is effective 18 months after Sept. 21, 1993, or on such earlier date as the President shall determine to be appropriate and announce by proclamation in the Federal Register, see section 203(d) of Pub. L. 103-82, set out as a note under section 12651 of this title.]

§ 4953. Selection and assignment of volunteers

(a) Covered projects and programs

The Director, on the receipt of applications by public or nonprofit private organizations to receive volunteers under this part, may assign volunteers selected under subsection (b) of this section to work in appropriate projects and programs sponsored by such organizations, including work—

(1) in meeting the health, education, welfare, or related needs of Indians living on reservations or Federal trust lands, of migratory and seasonal farmworkers and their families, and of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands;

(2) in the care and rehabilitation of mentally ill, developmentally disabled, and other individuals with disabilities, especially individuals with severe disabilities;

(3) in addressing the problems of the homeless, unemployed individuals, and low-income youths;

(4) in addressing the special needs connected with alcohol and drug abuse through prevention, education, rehabilitation, treatment, and related activities, consistent with the purpose of this part;

(5) in addressing significant health care problems, including mental illness, chronic and life-threatening illnesses, and health care for homeless individuals (especially homeless children) through prevention, treatment, and community-based care activities;

(6) in connection with programs or activities authorized, supported, or of a character eligible for assistance under this chapter or the Community Service Block Grant Act [42 U.S.C. 9901 et seq.], titles VIII and X of the Economic Opportunity Act of 1964 [42 U.S.C. 2991 et seq., 2996 et seq.], the Head Start Act [42 U.S.C. 9831 et seq.], the Community Economic Development Act of 1981 [42 U.S.C. 9801 et seq.], or other similar Acts, in furtherance of the purpose of this subchapter;

(7) in strengthening, supplementing, and expanding efforts to address the problem of illiteracy throughout the United States;

(8) in assisting with the reentry and reintegration of formerly incarcerated youth and adults into society, including providing training and counseling in education, employment, and life skills;

(9) in developing and carrying out financial literacy, financial planning, budgeting, saving, and reputable credit accessibility programs in low-income communities, including those programs that educate individuals about financing home ownership and higher education;

(10) in initiating and supporting before-school and after-school programs, serving children in low-income communities, that may engage participants in mentoring, tutoring, life skills and study skills programs, service-learning, physical, nutrition, and health education programs, and other activities addressing the needs of the children;

(11) in establishing and supporting community economic development initiatives, with a priority on work on such initiatives in rural areas and the other areas where such initiatives are needed most;

(12) in assisting veterans and their family members through establishing or augmenting programs that assist such persons with access to legal assistance, health care (including mental health care), employment counseling or training, education counseling or training, affordable housing, and other support services; and

(13) in addressing the health and wellness of individuals in low-income communities and individuals in underserved communities, including programs to increase access to preventive services, insurance, and health services.

(b) Recruitment and placement procedures for local and national placement of volunteers; establishment, requirements, etc.

(1) The Director shall establish placement procedures that involve sponsoring organizations and that offer opportunities for both local and national placement of volunteers for service under this part.

(2)(A) The Director shall establish and maintain within the national headquarters of the Corporation (or any successor entity of such agency) a volunteer placement office which shall be responsible for all functions related to

the recruitment and placement of volunteers under this part. Such functions and activities shall be carried out in coordination or in conjunction with recruitment and placement activities carried out under the National and Community Service Act of 1990 [42 U.S.C. 12501 et seq.].

(B) Such volunteer placement office shall develop, operate, and maintain a current and comprehensive database that provides information—

(i) to individuals, with respect to specific opportunities for service as a volunteer with approved projects or programs to which no volunteer has been assigned; and

(ii) to approved projects or programs, with respect to the availability of individuals whose applications for service as a volunteer have been approved and who are awaiting an assignment with a specific project or program.

(C) The Director shall assign or hire as necessary, such additional national, regional, and State personnel to carry out the functions described in this subsection and subsection (c) of this section as may be necessary to ensure that such functions are carried out in a timely and effective manner. The Director shall give priority in the hiring of such additional personnel to individuals who have formerly served as volunteers under this part and to individuals who have specialized experience in the recruitment and management of volunteers.

(3) Volunteers shall be selected from among qualified individuals submitting an application for such service at such time, in such form, and containing such information as may be necessary to evaluate the suitability of each individual for such service and to determine, in accordance with paragraph (7),¹ the most appropriate assignment for each such volunteer. The Director shall approve the application of each individual who applies in conformance with this subsection and who, on the basis of the information provided in the application, is determined by the Director to be qualified to serve as a volunteer under this part.

(4) The Director shall ensure that applications for service as a volunteer under this part are available to the public on request to the Corporation (including any State or regional offices of the Agency)² and that an individual making such request is informed of the manner in which such application is required to be submitted. A completed application may be submitted by any interested individual to, and shall be accepted by, any office of the Corporation.

(5)(A) The Director shall provide for the assignment of each applicant approved as a volunteer under this part to a project or program that is, to the maximum extent practicable, consistent with the abilities, experiences, and preferences of such applicant that are set forth in the application described in paragraph (4) and the needs and preferences of projects or programs approved for the assignment of such volunteers.

(B) In carrying out subparagraph (A), the Director shall utilize the database established under paragraph (2)(B).

(C) A sponsoring organization of VISTA may recruit volunteers for service under this part.

¹ So in original. Probably should be paragraph "(5)".

² So in original. Probably should be "the Corporation".

The Director shall give a locally recruited volunteer priority for placement in the sponsoring organization of VISTA that recruited such volunteer.

(D) A volunteer under this part shall not be assigned to any project or program without the express approval and consent of such project or program.

(E) If an applicant under this part who is recruited locally becomes unavailable for service prior to the commencement of service, the recipient of the project grant or contract that was designated to receive the services of such applicant may replace such applicant with another qualified applicant approved by the Director.

(F) If feasible and appropriate, low-income community volunteers shall be given the option of serving in the home communities of such volunteers in teams with nationally recruited specialist volunteers. The Director shall attempt to assign such volunteers to serve in the home or nearby communities of such volunteers and shall make national efforts to attract other individuals to serve in the VISTA program. The Director shall also, in the assignment of volunteers under this subparagraph, recognize that community-identified needs that cannot be met in the local area and the individual desires of VISTA volunteers in regard to the service in various geographical areas of the United States should be taken into consideration.

(c) Public awareness and recruit activities; dissemination of information; reimbursement of costs; coordination; obligation of funds

(1) The Director, in conjunction with the personnel described in subsection (b)(2)(C) of this section, shall engage in public awareness and recruitment activities. Such activities may include—

(A) public service announcements through the Internet and related technologies, radio, television, and the print media;

(B) advertising through the Internet and related technologies, print media, direct mail, and other means;

(C) disseminating information about opportunities for service as a volunteer under this part to relevant entities including institutions of higher education and other educational institutions (including libraries), professional associations, community-based agencies, youth service and volunteer organizations, business organizations, labor unions, senior citizens organizations, State or local offices of economic development, State employment security agencies, employment offices, and other institutions and organizations from or through which potential volunteers may be recruited;

(D) disseminating such information through presentations made personally by employees of the Corporation or other designees of the Director, to students and faculty at institutions of higher education and to other entities described in subparagraph (C), including presentations made at the facilities, conventions, or other meetings of such entities;

(E) publicizing the student loan deferment and forgiveness opportunities available to VISTA volunteers under parts B and E of title

IV of the Higher Education Act of 1965 [20 U.S.C. 1071 et seq., 1087aa et seq.] and including such information in all applications and recruitment materials;

(F) publicizing national service educational awards available under the National and Community Service Act of 1990 [42 U.S.C. 12501 et seq.];

(G) providing, on request, technical assistance with the recruitment of volunteers under this part to programs and projects receiving assistance under this part; and

(H) maintaining and publicizing a national toll-free telephone number through which individuals may obtain information about opportunities for service as a volunteer under this part and request and receive an application for such service.

(2) In designing and implementing the activities authorized under this section, the Director shall seek to involve individuals who have formerly served as volunteers under this part to assist in the dissemination of information concerning the program established under this part. The Director may reimburse the costs incurred by such former volunteers for such participation, including expenses incurred for travel.

(3) The Director shall consult with the Director of the Peace Corps to coordinate the recruitment and public awareness activities carried out under this subsection with those of the Peace Corps and to develop joint procedures and activities for the recruitment of volunteers to serve under this part.

(d) Provision of plans to volunteers for job advancement; coordination with private industry councils or local workforce investment boards

The Director shall provide each low-income community volunteer with an individual plan for job advancement or for transition to a situation leading to gainful employment. Whenever feasible, such efforts shall be coordinated with an appropriate local workforce development board established under section 3122 of title 29.

(e) Educational and vocational counseling for volunteers; Director to provide

The Director may provide or arrange for educational and vocational counseling of volunteers and recent former volunteers under this part to (1) encourage them to use, in the national interest, the skills and experience which they have derived from their training and service, particularly working in combating poverty as members of the helping professions, and (2) promote the development of appropriate opportunities for the use of such skills and experience, and the placement therein of such volunteers.

(f) Terms and conditions; restrictions on political activities; place of service

Except as provided in subsection (e) of this section, the assignment of volunteers under this section shall be on such terms and conditions (including restrictions on political activities that appropriately recognize the special status of volunteers living among the persons or groups served by programs to which they have been assigned) as the Director may determine, including work assignments in their own or nearby communities.

(g) Program or project submittal to Governor; commencement and termination of service

Volunteers under this part shall not be assigned to work in a program or project in any community unless the application for such program or project contains evidence of local support and has been submitted to the Governor or other chief executive officer of the State concerned. In the event of a timely request in writing, supported by a statement of reasons, by the Governor or other chief executive officer of the State concerned, the Director shall terminate a program or project or the assignment of a volunteer to a program or project not later than 30 days after the date such request is received by the Director, or at such later date as is agreed upon by the Director and such Governor or other chief executive officer.

(h) Interagency agreements

The Director is encouraged to enter into agreements with other Federal agencies to use VISTA volunteers in furtherance of program objectives that are consistent with the purposes described in section 4951 of this title.

(i) Agreements with nonprofit organizations

The Director may enter into agreements under which public and private nonprofit organizations, with sufficient financial capacity and size, pay for all or a portion of the costs of supporting the service of volunteers under this part.

(Pub. L. 93-113, title I, §103, Oct. 1, 1973, 87 Stat. 396; Pub. L. 96-143, §2, Dec. 13, 1979, 93 Stat. 1074; Pub. L. 98-288, §4(a)-(c)(1), (d), May 21, 1984, 98 Stat. 189, 190; Pub. L. 99-551, §3(a), Oct. 27, 1986, 100 Stat. 3071; Pub. L. 101-204, title I, §101(a), (b), (d)(2), title VII, §701, Dec. 7, 1989, 103 Stat. 1807, 1809, 1811, 1820; Pub. L. 103-82, title III, §323, title IV, §405(a)(2)-(4), Sept. 21, 1993, 107 Stat. 899, 920; Pub. L. 103-304, §3(b)(7), (8), Aug. 23, 1994, 108 Stat. 1568; Pub. L. 105-277, div. A, §101(f) [title VIII, §405(d)(36)(A), (f)(28)(A)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-427, 2681-434; Pub. L. 111-13, title II, §2102, Apr. 21, 2009, 123 Stat. 1582; Pub. L. 113-128, title V, §512(h), July 22, 2014, 128 Stat. 1708.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(6), was in the original "this Act", meaning Pub. L. 93-113, Oct. 1, 1973, 87 Stat. 394, known as the Domestic Volunteer Service Act of 1973, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 4950 of this title and Tables.

The Community Service Block Grant Act, referred to in subsec. (a)(6), probably means the Community Services Block Grant Act, which is subtitle B (§671 et seq.) of title VI of Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 511, which is classified generally to chapter 106 (§9901 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 9901 of this title and Tables.

The Economic Opportunity Act of 1964, referred to in subsec. (a)(6), is Pub. L. 88-452, Aug. 20, 1964, 78 Stat. 508. Titles VIII and X of the Act are classified generally to subchapters VIII (§2991 et seq.) and X (§2996 et seq.), respectively, of chapter 34 of this title. For complete classification of this Act to the Code, see Tables.

The Head Start Act, referred to in subsec. (a)(6), is subchapter B (§§635-657) of chapter 8 of subtitle A of title VI of Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 499, which is classified generally to subchapter II (§9831 et

seq.) of chapter 105 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 9801 of this title and Tables.

The Community Economic Development Act of 1981, referred to in subsec. (a)(6), is subchapter A (§§611-633) of chapter 8 of subtitle A of title VI of Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 489, which is classified generally to subchapter I (§9801 et seq.) of chapter 105 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 9801 of this title and Tables.

The National and Community Service Act of 1990, referred to in subsecs. (b)(2)(A) and (c)(1)(F), is Pub. L. 101-610, Nov. 16, 1990, 104 Stat. 3127, which is classified principally to chapter 129 (§12501 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 12501 of this title and Tables.

The Higher Education Act of 1965, referred to in subsec. (c)(1)(E), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219. Parts B and E of title IV of the Higher Education Act of 1965 are classified to parts B (§1071 et seq.) and D (§1087aa et seq.), respectively, of subchapter IV of chapter 28 of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

AMENDMENTS

2014—Subsec. (d). Pub. L. 113-128 substituted "employment. Whenever feasible, such efforts shall be coordinated with an appropriate local workforce development board established under section 3122 of title 29." for "employment. Whenever feasible, such efforts shall be coordinated with an appropriate local workforce investment board established under section 2832 of title 29."

2009—Subsec. (a)(1). Pub. L. 111-13, §2102(1)(A), inserted "the Commonwealth of the Northern Mariana Islands," after "American Samoa."

Subsec. (a)(2). Pub. L. 111-13, §2102(1)(B), substituted "individuals with disabilities, especially individuals with severe disabilities;" for "handicapped individuals, especially those with severe handicaps;"

Subsec. (a)(3). Pub. L. 111-13, §2102(1)(C), substituted "unemployed individuals," for "the jobless, the hungry,"

Subsec. (a)(4). Pub. L. 111-13, §2102(1)(D), substituted "through prevention, education, rehabilitation, treatment," for "prevention, education,"

Subsec. (a)(5). Pub. L. 111-13, §2102(1)(E), substituted "mental illness, chronic and life-threatening illnesses," for "chronic and life-threatening illnesses"

Subsec. (a)(6). Pub. L. 111-13, §2102(1)(F)(i), which directed substitution of "Head Start Act" for "Headstart act", was executed by making the substitution for "Headstart Act" to reflect the probable intent of Congress.

Subsec. (a)(8) to (13). Pub. L. 111-13, §2102(1)(F)(ii)-(H), added pars. (8) to (13).

Subsec. (b)(1). Pub. L. 111-13, §2102(2)(A), substituted "placement procedures that involve sponsoring organizations and" for "recruitment and placement procedures"

Subsec. (b)(2)(A). Pub. L. 111-13, §2102(2)(B)(i), substituted "Community Service Act of 1990." for "Community Service Trust Act of 1993. Upon the transfer of the functions of the ACTION Agency to the Corporation for National and Community Service, the office established under this subparagraph shall be merged with the recruitment office of such Corporation. At no time after such transfer of functions shall more than one office responsible primarily for recruitment exist within the Corporation."

Subsec. (b)(2)(B). Pub. L. 111-13, §2102(2)(B)(ii), substituted "database that provides" for "central information system that shall, on request, promptly provide" in introductory provisions.

Subsec. (b)(2)(C). Pub. L. 111-13, §2102(2)(B)(iii), inserted "and management" after "the recruitment" in second sentence.

Subsec. (b)(5)(B). Pub. L. 111-13, §2102(2)(C), substituted “database” for “information system”.

Subsec. (c)(1)(A). Pub. L. 111-13, §2102(3)(A)(i), inserted “the Internet and related technologies,” before “radio.”

Subsec. (c)(1)(B). Pub. L. 111-13, §2102(3)(A)(ii), inserted “Internet and related technologies,” before “print media.”

Subsec. (c)(1)(C). Pub. L. 111-13, §2102(3)(A)(iii), inserted “State or local offices of economic development, State employment security agencies, employment offices,” before “and other institutions”.

Subsec. (c)(1)(F). Pub. L. 111-13, §2102(3)(A)(iv), substituted “Community Service Act of 1990” for “Community Service Trust Act of 1993”.

Subsec. (c)(4). Pub. L. 111-13, §2102(3)(B), struck out par. (4) which read as follows: “Beginning in fiscal year 1991 and for each fiscal year thereafter, for the purpose of carrying out this subsection, the Director shall obligate not less than 1.5 percent of the amounts appropriated for each fiscal year under section 5081(a) of this title.”

Subsec. (d). Pub. L. 111-13, §2102(4), struck out “private industry council established under the Job Training Partnership Act or” after “coordinated with an appropriate”. See 1998 Amendment note below.

Subsec. (g). Pub. L. 111-13, §2102(5), struck out “, and such Governor or other chief executive officer has not, within 45 days of the date of such submission, notified the Director in writing, supported by a statement of reasons, that such Governor or other chief executive officer disapproves such program or project” before period at end of first sentence.

Subsec. (i). Pub. L. 111-13, §2102(6), added subsec. (i). 1998—Subsec. (d). Pub. L. 105-277, §101(f) [title VIII, §405(f)(28)(A)], which directed amendment of the second sentence to read “private industry council established under the Job Training Partnership Act or”, was not executed, to reflect the probable intent of Congress and subsequent amendment by Pub. L. 111-13, §2102(4).

Pub. L. 105-277, §101(f) [title VIII, §405(d)(36)(A)], substituted “Whenever feasible, such efforts shall be coordinated with an appropriate private industry council established under the Job Training Partnership Act or local workforce investment board established under section 2832 of title 29.” for “Whenever feasible, such efforts shall be coordinated with an appropriate private industry council under the Job Training Partnership Act.”

1994—Subsec. (b)(5), (6). Pub. L. 103-304, §3(b)(7), redesignated par. (6) as (5).

Subsec. (c)(1)(F). Pub. L. 103-304, §3(b)(8), realigned margin.

1993—Subsec. (a). Pub. L. 103-82, §323(a)(1), substituted “public” for “a public” in introductory provisions.

Subsec. (a)(2). Pub. L. 103-82, §323(a)(2), directed amendment of par. (2) by striking “and” at end. See 1984 Amendment note below.

Subsec. (a)(3). Pub. L. 103-82, §323(a)(3), struck out “illiterate or functionally illiterate youth and other individuals,” after “the hungry.”

Subsec. (a)(5). Pub. L. 103-82, §323(a)(4), struck out “and” at end.

Subsec. (a)(6). Pub. L. 103-82, §323(a)(5), struck out “or” before “the Community Economic”, inserted “or other similar Acts,” before “in furtherance of”, and substituted “; and” for period at end.

Subsec. (a)(7). Pub. L. 103-82, §323(a)(6), added par. (7).

Subsec. (b)(2)(A). Pub. L. 103-82, §405(a)(2), substituted “the Corporation (or any)” for “the ACTION Agency (or any)”.

Pub. L. 103-82, §323(b)(1)(A), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “The Director shall establish and maintain within the national headquarters of the ACTION Agency a volunteer placement office. The office shall be headed by an individual designated by the Director to be the national Administrator of Recruitment and Placement, who shall be responsible for carrying out the functions

described in this subsection and subsection (c) of this section and all other functions delegated by the Director relating to the recruitment and placement of volunteers under this part.”

Subsec. (b)(2)(C), (D). Pub. L. 103-82, §323(b)(1)(B), (C), redesignated subpar. (D) as (C) and struck out former subpar. (C) which read as follows: “The Director shall, at a minimum, designate one employee of the ACTION Agency in each region of the United States whose primary duties and responsibilities shall be to assist the Administrator in carrying out the functions described in this subsection and subsection (c) of this section.”

Subsec. (b)(4). Pub. L. 103-82, §405(a)(3), substituted “the Corporation” for “the ACTION Agency” in two places.

Pub. L. 103-82, §323(b)(2), (3), redesignated par. (5) as (4) and struck out former par. (4) which read as follows: “Each application for service as a volunteer under this part shall—

“(A) indicate the period of time during which the applicant is available to serve as a volunteer under this part;

“(B) describe the previous education, training, military and work experience, and any other relevant skills or interests of the applicant;

“(C) specify the State or geographic region in which the applicant prefers to be assigned; and

“(D) specify—

“(i) the type of project or program to which the applicant prefers to be assigned; or

“(ii) the particular project or program to which the applicant prefers to be assigned.”

Subsec. (b)(5) to (7). Pub. L. 103-82, §323(b)(2), (3), redesignated pars. (5) and (7) as (4) and (6), respectively, and struck out former par. (6) which read as follows: “Completed applications received by the ACTION Agency shall be forwarded to the regional ACTION office representing the State in which such applicant resides. The regional or State employees designated in subparagraphs (C) and (D) of paragraph (2) shall assist in evaluating such applications and, to the extent feasible and appropriate, interviewing applicants.”

Subsec. (c)(1). Pub. L. 103-82, §323(c)(1)(A), (B), in introductory provisions, substituted “personnel described in subsection (b)(2)(C)” for “regional or State employees designated in subparagraphs (C) and (D) of subsection (b)(2)” and “Such activities may include” for “Such activities shall include”.

Subsec. (c)(1)(D). Pub. L. 103-82, §405(a)(4), substituted “the Corporation” for “the ACTION Agency”.

Subsec. (c)(1)(F) to (H). Pub. L. 103-82, §323(c)(1)(C), (D), added subpar. (F) and redesignated former subpars. (F) and (G) as (G) and (H), respectively.

Subsec. (c)(4) to (6). Pub. L. 103-82, §323(c)(2), (3), redesignated par. (6) as (4) and struck out former par. (4) which required Director to develop annual plan for recruitment of volunteers under this part and former par. (5) which required that at least 20 percent of volunteers under this part be between ages 18 and 27 and that at least 20 percent be 55 or older.

Subsec. (h). Pub. L. 103-82, §323(d), added subsec. (h).

1989—Pub. L. 101-204, §101(d)(2)(A), substituted “Selection and assignment” for “Assignment” in section catchline.

Subsec. (a). Pub. L. 101-204, §101(d)(2)(B), inserted introductory provisions and struck out former introductory provisions which read as follows: “The Director, upon request of Federal, State, or local agencies, or private nonprofit organizations, may assign such volunteers to work in the several States in the local communities in which the volunteers were recruited in appropriate projects and programs, including work—”

Subsec. (a)(5), (6). Pub. L. 101-204, §701, added par. (5) and redesignated former par. (5) as (6).

Subsec. (b). Pub. L. 101-204, §101(a), amended subsec. (b) generally. Prior to amendment subsec. (b) read as follows: “The Director shall establish, at a cost not to exceed \$250,000, procedures to recruit and place individuals from all walks of life, age groups, economic levels, and geographic areas to serve as VISTA volunteers.

The procedures shall include an information system to ensure that potential applicants are made aware of the broad range of VISTA volunteer opportunities and a system to identify and place qualified volunteers where their skills are most needed. The Director shall also establish procedures for national and local recruitment, media and public awareness efforts, and specialized campaigns designed to recruit recent college graduates, special skilled volunteers, and individuals 55 years of age and older. The Director, wherever feasible and appropriate, shall assign low-income community volunteers to serve in their home communities in teams with nationally recruited specialist volunteers. The Director shall make efforts to assign volunteers to serve in their home or nearby communities and shall make national efforts to attract other volunteers to serve in the VISTA program. The Director shall also, in the assignment of volunteers, recognize that the community identified needs which cannot be met in the local area, and the individual desires of VISTA volunteers in regard to placement in various geographic areas of the Nation, should be taken into consideration."

Subsecs. (c) to (e). Pub. L. 101-204, §101(b), added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively.

Subsec. (f). Pub. L. 101-204, §101(b)(1), (d)(2)(C), redesignated subsec. (e) as (f) and substituted reference to subsec. (e) of this section for reference to subsec. (d) of this section. Former subsec. (f) redesignated (g).

Subsec. (g). Pub. L. 101-204, §101(b)(1), redesignated former subsec. (f) as (g).

1986—Subsec. (b). Pub. L. 99-551 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: "The Director, wherever feasible and appropriate, shall assign low-income community volunteers to serve in their home communities in teams with nationally recruited specialist volunteers. The Director shall make efforts to assign volunteers to serve in their home communities or in nearby communities and shall make national efforts to attract other volunteers to serve in the VISTA program."

1984—Subsec. (a). Pub. L. 98-288, §4(a)(1), inserted "in the local communities in which the volunteers were recruited" and inserted ", including work" in provisions before par. (1).

Subsec. (a)(2). Pub. L. 98-288, §4(a)(2), which directed substitution of a semicolon for ", under the supervision of nonprofit institutions or facilities, and", was executed by making the substitution for ", under the supervision of nonprofit institutions or facilities; and" to reflect the probable intent of Congress.

Subsec. (a)(3), (4). Pub. L. 98-288, §4(a)(4), added pars. (3) and (4). Former par. (3) redesignated (5).

Subsec. (a)(5). Pub. L. 98-288, §4(a)(3), (4), redesignated par. (3) as (5), and substituted "the Community Service Block Grant Act, titles VIII and X of the Economic Opportunity Act of 1964, the Headstart Act, or the Community Economic Development Act of 1981." for "the Economic Opportunity Act of 1964, as amended".

Subsec. (b). Pub. L. 98-288, §4(b), substituted "The Director shall make efforts to assign volunteers to serve in their home communities or in nearby communities and shall make national efforts to attract other volunteers to serve in the VISTA program" for "Not later than 30 days after the assignment of any such community volunteer, the Director shall insure that each such volunteer is provided an individual plan designed to provide an opportunity for job advancement or for transition to a situation leading to gainful employment. One hundred and twenty days prior to the completion of such community volunteer's term of service, the Director shall insure that such plan is updated and reviewed with the volunteer. The Director shall offer to provide each volunteer enrolled for a period of full-time service of not less than one year under this subchapter, and, upon the request of such volunteer, provide such volunteer with an individual and updated plan as described in the preceding two sentences".

Subsecs. (c), (d). Pub. L. 98-288, §4(c)(1)(B), added subsecs. (c) and (d). Former subsecs. (c) and (d) redesignated subsecs. (e) and (f), respectively.

Subsec. (e). Pub. L. 98-288, §4(c)(1)(A), redesignated subsec. (c) as (e).

Subsec. (f). Pub. L. 98-288, §4(c)(1)(A), (d), redesignated subsec. (d) as (f), and substituted "work in a program or project in any community unless the application for such program or project contains evidence of local support and" for "duties or work in a program or project in any State unless such program or project".

1979—Subsec. (b). Pub. L. 96-143, §2(a), substituted "Not later than 30 days after" for "Prior to" and inserted provisions that the Director offer to provide each volunteer enrolled for a period of full-time service of not less than one year under this subchapter, and, upon the request of such volunteer, provide such volunteer with an individual and updated plan as described in the preceding two sentences.

Subsec. (d). Pub. L. 96-143, §2(b), inserted "in a program or project" after "work" and "or project" after "program" and inserted provisions requiring notification by a Governor or other chief executive officer to the Director that such Governor or other chief executive officer has disapproved a program or project under this section and requiring the Director to terminate a program or project under this section in the event of a timely request by the Governor or other chief executive officer not later than 30 days after the date such request is received or at such date agreed upon by the Director and such Governor or other chief executive officer.

EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113-128 effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113-128, set out as an Effective Date note under section 3101 of Title 29, Labor.

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.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by section 101(f) [title VIII, §405(d)(36)(A)] of Pub. L. 105-277 effective Oct. 21, 1998, and amendment by section 101(f) [title VIII, §405(f)(28)(A)] of Pub. L. 105-277 effective July 1, 2000, see section 101(f) [title VIII, §405(g)(1), (2)(B)] of Pub. L. 105-277, set out as a note under section 3502 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1994 AMENDMENT

Pub. L. 103-304, §3(b)(10), Aug. 23, 1994, 108 Stat. 1568, provided that:

"(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by this subsection [amending this section and sections 5024, 12591, 12602, 12615, 12619, 12622, 12651d, 12653, and 12655n of this title] shall take effect on the date of the enactment of this Act [Aug. 23, 1994].

"(B) RETROACTIVE EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) [amending sections 12651d and 12655n of this title] shall take effect as of October 1, 1993."

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by section 323 of Pub. L. 103-82 effective Oct. 1, 1993, see section 392 of Pub. L. 103-82, set out as a note under section 4951 of this title.

Amendment by section 405(a)(2) to (4) of Pub. L. 103-82 effective Apr. 4, 1994, see section 406(b) of Pub. L. 103-82, set out as a note under section 8332 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-551 effective Oct. 1, 1986, except as otherwise provided, see section 11 of Pub. L. 99-551, set out as an Effective Date note under section 4950 of this title.

§ 4954. Terms and periods of service**(a) Personal commitment; scope of commitment**

Volunteers serving under this part shall be required to make a full-time personal commitment to combating poverty and poverty-related problems. To the maximum extent practicable, the requirement for full-time commitment shall include a commitment to live among and at the economic level of the people served, and to remain available for service without regard to regular working hours, at all times during their periods of service, except for authorized periods of leave.

(b) Minimum period of service; critical scarce-skill needs exception; reenrollment; limitation

(1) Volunteers serving under this part may be enrolled initially for periods of service of not less than 1 year, nor more than 2 years, except as provided in paragraph (2) or subsection (e) of this section.

(2) Volunteers serving under this part may be enrolled for periods of service of less than 1 year if the Director determines, on an individual basis, that a period of service of less than 1 year is necessary to meet a critical scarce skill need.

(3) Volunteers serving under this part may be reenrolled for periods of service in a manner to be determined by the Director. No volunteer shall serve for more than a total of 5 years under this part.

(c) Oath or affirmation

Volunteers under this part shall, upon enrollment, take the oath of office as prescribed for persons appointed to any office of honor or profit by section 3331 of title 5, and shall swear (or affirm) that the volunteer does not advocate the overthrow of the constitutional form of government of the United States and that the volunteer is not a member of an organization that advocates the overthrow of the constitutional form of government of the United States, knowing that such organization so advocates, except that persons legally residing within a State but who are not citizens or nationals of the United States, may serve under this part without taking or subscribing to such oath, if the Director determines that the service of such persons will further the interests of the United States. Such persons shall take such alternative oath or affirmation as the Director shall deem appropriate.

(d) Grievance and personal view presentation procedure; notice and hearing; information

The Director shall establish a procedure, including notice and opportunity to be heard, for volunteers under this part to present and obtain resolution of grievances and to present their views in connection with the terms and conditions of their service. The Director shall promptly provide to each volunteer in service on October 1, 1973, and to each such volunteer beginning service thereafter, information regarding such procedure and the terms and conditions of their service.

(e) Summer associates

(1) Notwithstanding any other provision of this part, the Director may enroll full-time

VISTA summer associates in a program for the summer months only, under such terms and conditions as the Director shall determine to be appropriate. Such individuals shall be assigned to projects that meet the criteria set forth in section 4953(a) of this title.

(2) In preparing reports relating to programs under this chapter, the Director shall report on participants, costs, and accomplishments under the summer program separately.

(3) The limitation on funds appropriated for grants and contracts, as contained in section 4958 of this title, shall not apply to the summer program.

(Pub. L. 93-113, title I, § 104, Oct. 1, 1973, 87 Stat. 397; Pub. L. 98-288, § 5, May 21, 1984, 98 Stat. 190; Pub. L. 101-204, title VII, § 702, Dec. 7, 1989, 103 Stat. 1821; Pub. L. 103-82, title III, § 324, Sept. 21, 1993, 107 Stat. 900.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (e)(2), was in the original "this Act", meaning Pub. L. 93-113, Oct. 1, 1973, 87 Stat. 394, known as the Domestic Volunteer Service Act of 1973, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 4950 of this title and Tables.

AMENDMENTS

1993—Subsec. (b). Pub. L. 103-82, § 324(a), amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: "Volunteers serving under this part may be enrolled for periods of service not exceeding two years, but for not less than one-year periods of service, except that volunteers serving under this part may be enrolled for periods of service of less than one year when the Director determines, on an individual basis, that a period of service of less than one year is necessary to meet a critical scarce-skill need. Volunteers serving under this part may be reenrolled for periods of service totaling not more than two years. No volunteer shall serve for more than a total of five years under this part."

Subsec. (e). Pub. L. 103-82, § 324(b), added subsec. (e).

1989—Subsec. (c). Pub. L. 101-204 substituted "for persons appointed to any office of honor or profit by section 3331 of title 5, and shall swear (or affirm) that the volunteer does not advocate the overthrow of the constitutional form of government of the United States and that the volunteer is not a member of an organization that advocates the overthrow of the constitutional form of government of the United States, knowing that such organization so advocates, except" for "in section 2504(j) of title 22, except".

1984—Subsec. (a). Pub. L. 98-288 struck out "human, social, and environmental" in first sentence after "poverty-related", and substituted "the requirement for full-time commitment" for "this" in second sentence.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-82 effective Oct. 1, 1993, see section 392 of Pub. L. 103-82, set out as a note under section 4951 of this title.

TEMPORARY AUTHORITY FOR EXTENSIONS OF PERIOD OF SERVICE

Pub. L. 101-204, title I, § 101(c), Dec. 7, 1989, 103 Stat. 1810, as amended by Pub. L. 103-82, title IV, § 405(h), Sept. 21, 1993, 107 Stat. 921, provided that:

"(1) IN GENERAL.—Notwithstanding the limitations established in section 104(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4954(b)) for the maximum period of service as a volunteer under part A of title I of such Act (42 U.S.C. 4951 et seq.), the Chief Executive Officer of the Corporation for National and Community Service may, subject to paragraphs (2) and (3), extend