

than a minimum of \$125 per month and not more than a maximum of \$150 per month, subject to the availability of funds to provide such a maximum rate." for "Such stipend shall not exceed \$95 per month in fiscal year 1994, but shall be set at a minimum of \$100 per month, and a maximum of \$125 per month assuming the availability of funds to accomplish such maximum, during the service of the volunteer after October 1, 1994." and "stipend set at a rate that is not more than a maximum of \$250 per month" for "stipend of a maximum of \$200 per month".

1993—Subsec. (a)(1). Pub. L. 103-82, § 325(a), designated first sentence as subpar. (A), added subpars. (B) and (C), and struck out former second sentence which read as follows: "Such stipend shall not exceed \$75 per month in fiscal year 1990, \$90 per month in fiscal year 1991, and \$95 per month in subsequent fiscal years during the volunteer's service, except that the Director may provide a stipend not to exceed \$75 per month in fiscal year 1990, \$90 per month in fiscal year 1991, and \$95 per month in subsequent fiscal years in the case of persons who have served for at least one year and who, in accordance with standards established in regulations which the Director shall prescribe, have been designated volunteer leaders on the basis of experience and special skills and a demonstrated leadership among volunteers."

Subsec. (b)(3). Pub. L. 103-82, § 325(b)(1), struck out subpar. (A), struck out subpar. (B) designation before "The Director shall adjust", and inserted at end: "The Director shall review such adjustments on an annual basis to ensure that the adjustments are current." Prior to amendment, subpar. (A) read as follows: "The Director shall consult with regional and State offices of the ACTION Agency to make a determination of the cost of living within each State and whether there are significant local price differentials within the State."

Subsec. (b)(4). Pub. L. 103-82, § 325(b)(2), struck out par. (4) which read as follows: "The Director, in coordination with regional and State offices of the ACTION Agency and taking into account paragraphs (2) and (3), shall establish a method for setting subsistence allowances. The Director shall submit a report on such methods to the appropriate authorizing committees of Congress not later than 90 days after the date of enactment of the fiscal year 1990 appropriation."

Subsec. (c). Pub. L. 103-82, § 325(c), added subsec. (c). 1989—Subsec. (a)(1). Pub. L. 101-204, § 102(1), substituted "\$75 per month in fiscal year 1990, \$90 per month in fiscal year 1991, and \$95 per month in subsequent fiscal years" for "\$75 per month" in two places.

Subsec. (b). Pub. L. 101-204, § 102(2), designated existing provisions as par. (1), substituted "places of training and to and from locations to which volunteers are assigned during periods of service" for "places of training," and added pars. (2) to (4).

1986—Subsec. (b). Pub. L. 99-551 substituted "the Director" for "he" before "deems".

1984—Subsec. (b). Pub. L. 98-288 inserted "pre-service training and where appropriate in-service training."

1979—Subsec. (a)(2). Pub. L. 96-143 substituted "under such circumstances as the Director shall determine, in accordance with regulations which the director shall prescribe, the accrued stipend, or any part of the accrued stipend, may be paid to the volunteer, or, on behalf of the volunteer, to members of the volunteer's family or others during the period of the volunteer's service" for "in extraordinary circumstances the Director may from time to time advance all or a portion of the accrued stipend to or on behalf of a volunteer".

1975—Subsec. (a)(1). Pub. L. 94-130 substituted "shall not exceed \$75" for "shall not exceed \$50".

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

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.

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.

ADDITIONAL APPROPRIATIONS AUTHORIZATION

Pub. L. 94-130, § 5(b), Nov. 14, 1975, 89 Stat. 684, as amended by Pub. L. 96-143, § 17, Dec. 13, 1979, 93 Stat. 1082, provided that: "There are authorized to be appropriated, in addition to the sums authorized to be appropriated pursuant to section 501 of such Act [section 5081 of this title], such additional sums as may be necessary to carry out the amendments made by subsection (a) of this section [amending this section]."

§ 4956. Participation of program beneficiaries

To the maximum extent practicable, the people of the communities to be served by volunteers under this subchapter shall participate in planning, developing, and implementing programs thereunder, and the Director, after consultation with sponsoring agencies (including volunteers assigned to them) and the people served by such agencies, shall establish in regulations, a continuing mechanism for the meaningful participation of such program beneficiaries.

(Pub. L. 93-113, title I, § 106, Oct. 1, 1973, 87 Stat. 398; Pub. L. 98-288, § 7, May 21, 1984, 98 Stat. 191.)

AMENDMENTS

1984—Pub. L. 98-288 substituted "establish in regulations" for "take all necessary steps to establish, in regulations he shall prescribe".

§ 4957. Participation of younger and older persons

In carrying out this part and part C of this subchapter, the Director shall take necessary steps, including the development of special projects, where appropriate, to encourage the fullest participation of individuals 18 through 27 years of age, and individuals 55 years of age and older, in the various programs and activities authorized under such parts.

(Pub. L. 93-113, title I, § 107, Oct. 1, 1973, 87 Stat. 399; Pub. L. 103-82, title III, § 326, Sept. 21, 1993, 107 Stat. 901.)

AMENDMENTS

1993—Pub. L. 103-82 amended section generally. Prior to amendment, section read as follows: "In carrying out this part and part C of this subchapter, the Director shall take necessary steps, including the development of special projects, where appropriate, to encourage the fullest participation of older persons and older persons membership groups as volunteers and participant agencies in the various programs and activities authorized under such parts and, because of the high proportion of older persons within the poverty group, shall encourage the development of a variety of volunteer services to older persons, including special projects, to assure that such persons are served in proportion to their need."

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.

§ 4958. Limitation on funds appropriated for grants and contracts for direct cost of supporting volunteers in programs or projects

(a) Of funds appropriated for the purpose of this part under section 5081 of this title, not more than 30 percent for the fiscal year ending September 30, 1984, and for each fiscal year thereafter, may be obligated for the direct cost of supporting volunteers in programs or projects carried out pursuant to grants and contracts made under section 5042(12)¹ of this title.

(b) No funds shall be obligated under this part pursuant to grants or contracts made after December 13, 1979, for new projects for the direct cost of supporting volunteers unless the recipient of each such grant or contract has been selected through a competitive process which includes—

(1) public announcements of the availability of funds for such grants or contracts, general criteria for the selection of new recipients, and a description of the application process and the application review process; and

(2) a requirement that each applicant for any such grant or contract identify, with sufficient particularity to assure that the assignments of volunteers under such grants and contracts will carry out the purpose of this part, the particular poverty or poverty-related problems on which the grant or contract will focus, and any such grant or contract shall specifically so identify such problems.

(Pub. L. 93-113, title I, §108, as added Pub. L. 94-293, §4(a)(1), May 27, 1976, 90 Stat. 525; amended Pub. L. 96-143, §4, Dec. 13, 1979, 93 Stat. 1075; Pub. L. 98-288, §8, May 21, 1984, 98 Stat. 191; Pub. L. 101-204, title VII, §703, Dec. 7, 1989, 103 Stat. 1821.)

REFERENCES IN TEXT

Section 5042 of this title, referred to in subsec. (a), was repealed by Pub. L. 103-82, title II, §203(b), Sept. 21, 1993, 107 Stat. 892.

AMENDMENTS

1989—Subsec. (a). Pub. L. 101-204 substituted “30 percent” for “16 per centum”.

1984—Subsec. (a). Pub. L. 98-288, §8(1), (2), substituted “1984” for “1977”, and struck out “During the fiscal year ending September 30, 1980—(1) in no event may in excess of \$5,800,000 be used pursuant to grants and contracts under this part for the direct cost of supporting such volunteers; and (2) funds obligated pursuant to such grants and contracts for such cost may be used to support no greater number of years of volunteer service than the number of such years supported during the fiscal year ending September 30, 1979, pursuant to grants and contracts for such cost.”

Subsec. (b)(2). Pub. L. 98-288, §8(3), struck out “human, social, or environmental” after “poverty-related”.

1979—Subsec. (a). Pub. L. 96-143, §4, designated existing provisions as subsec. (a) and, in subsec. (a) as so designated, substituted “16” for “20”, inserted “During the fiscal year ending September 30, 1980”, and added pars. (1) and (2).

Subsec. (b). Pub. L. 96-143, §4(b), added subsec. (b).

EFFECTIVE DATE

Pub. L. 94-293, §4(c), May 27, 1976, 90 Stat. 526, provided that: “The amendments made by subsection (a)

and subsection (b) of this section [enacting this section and amending section 5042 of this title] shall be effective on October 1, 1976, and shall not apply to any agreement for the assignment of volunteers entered into before such date during the period of any such agreement.”

§ 4959. Repealed. Pub. L. 111-13, title II, §2104, Apr. 21, 2009, 123 Stat. 1583

Section, Pub. L. 93-113, title I, §109, as added Pub. L. 99-551, §4(a), Oct. 27, 1986, 100 Stat. 3072; amended Pub. L. 101-204, title VI, §601, Dec. 7, 1989, 103 Stat. 1819; Pub. L. 103-82, title III, §327, Sept. 21, 1993, 107 Stat. 902; Pub. L. 105-277, div. A, §101(f) [title VIII, §405(d)(36)(B), (f)(28)(B)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-427, 2681-434, related to the VISTA Literacy Corps.

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.

§ 4960. Applications for assistance

In reviewing an application for assistance under this part, the Director shall not deny such assistance to any project or program, or any public or private nonprofit organization, solely on the basis of the duration of the assistance such project, program, or organization has received under this part prior to the date of submission of the application. The Director shall grant assistance under this part on the basis of merit and to accomplish the goals of the VISTA program, and shall consider the needs and requirements of projects in existence on such date as well as potential new projects.

(Pub. L. 93-113, title I, §109, formerly §110, as added Pub. L. 101-204, title I, §103, Dec. 7, 1989, 103 Stat. 1812; amended Pub. L. 103-82, title III, §328, Sept. 21, 1993, 107 Stat. 902; renumbered §109, Pub. L. 111-13, title II, §2105, Apr. 21, 2009, 123 Stat. 1583.)

PRIOR PROVISIONS

A prior section 109 of Pub. L. 93-113 was classified to section 4959 of this title, prior to repeal by Pub. L. 111-13, title II, §2104, Apr. 21, 2009, 123 Stat. 1583, effective Oct. 1, 2009.

AMENDMENTS

1993—Pub. L. 103-82 amended section generally, substituting present provisions for provisions which related to: in subsec. (a), duration; in subsec. (b), consideration of application; in subsec. (c), new project or program; in subsec. (d), renewal of assistance; in subsec. (e), eligibility; and in subsec. (f), notice.

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.

PART B—UNIVERSITY YEAR FOR VISTA

§ 4971 to 4973. Repealed. Pub. L. 111-13, title II, §2121, Apr. 21, 2009, 123 Stat. 1584

Section 4971, Pub. L. 93-113, title I, §111, Oct. 1, 1973, 87 Stat. 399; Pub. L. 98-288, §9, May 21, 1984, 98 Stat. 191; Pub. L. 99-551, §5, Oct. 27, 1986, 100 Stat. 3073; Pub. L. 101-204, title II, §201(2), Dec. 7, 1989, 103 Stat. 1813; Pub. L. 103-82, title III, §330(a)(2), (3), Sept. 21, 1993, 107 Stat. 902, set forth the congressional statement of purpose for the University Year for VISTA program of full-time volunteer service by students enrolled in institutions of higher education.

¹ See References in Text note below.