

(3) Remainder

The Chief Executive Officer may use the funds reserved under paragraph (1), and not distributed to make grants under this subsection for other activities described in section 12681(a)(2) of this title.

(I) Authority for fixed-amount grants**(1) In general****(A) Authority**

From amounts appropriated for a fiscal year to provide financial assistance under the national service laws, the Corporation may provide assistance in the form of fixed-amount grants in an amount determined by the Corporation under paragraph (2) rather than on the basis of actual costs incurred by a program.

(B) Limitation

Other than fixed-amount grants to support programs described in section 12581a of this title, for the 1-year period beginning on the effective date of the Serve America Act, the Corporation may provide assistance in the form of fixed-amount grants to programs that only offer full-time positions.

(2) Determination of amount of fixed-amount grants

A fixed-amount grant authorized by this subsection shall be in an amount determined by the Corporation that is—

(A) significantly less than the reasonable and necessary costs of administering the program supported by the grant; and

(B) based on an amount per individual enrolled in the program receiving the grant, taking into account—

(i) the capacity of the entity carrying out the program to manage funds and achieve programmatic results;

(ii) the number of approved national service positions, approved silver scholar positions, or approved summer of service positions for the program, if applicable;

(iii) the proposed design of the program;

(iv) whether the program provides service to, or involves the participation of, disadvantaged youth or otherwise would reasonably incur a relatively higher level of costs; and

(v) such other factors as the Corporation may consider under section 12585 of this title in considering applications for assistance.

(3) Requirements for grant recipients

In awarding a fixed-amount grant under this subsection, the Corporation—

(A) shall require the grant recipient—

(i) to return a pro rata amount of the grant funds based upon the difference between the number of hours served by a participant and the minimum number of hours for completion of a term of service (as established by the Corporation);

(ii) to report on the program's performance on standardized measures and performance levels established by the Corporation;

(iii) to cooperate with any evaluation activities undertaken by the Corporation; and

(iv) to provide assurances that additional funds will be raised in support of the program, in addition to those received under the national service laws; and

(B) may adopt other terms and conditions that the Corporation considers necessary or appropriate based on the relative risks (as determined by the Corporation) associated with any application for a fixed-amount grant.

(4) Other requirements not applicable

Limitations on administrative costs and matching fund documentation requirements shall not apply to fixed-amount grants provided in accordance with this subsection.

(5) Rule of construction

Nothing in this subsection shall relieve a grant recipient of the responsibility to comply with the requirements of chapter 75 of title 31 or other requirements of Office of Management and Budget Circular A-133.

(Pub. L. 101-610, title I, §129, as added Pub. L. 103-82, title I, §101(b), Sept. 21, 1993, 107 Stat. 796; amended Pub. L. 111-13, title I, §1306, Apr. 21, 2009, 123 Stat. 1501.)

REFERENCES IN TEXT

The Domestic Volunteer Service Act of 1973, referred to in subsec. (c), is Pub. L. 93-113, Oct. 1, 1973, 87 Stat. 394. Title I of the Act is classified generally to subchapter I (§4951 et seq.) 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.

For the effective date of the Serve America Act, referred to in subsec. (I)(1)(B), as 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.

PRIOR PROVISIONS

A prior section 129 of Pub. L. 101-610 was renumbered section 199H and is classified to section 12655h of this title.

AMENDMENTS

2009—Pub. L. 111-13 amended section generally. Prior to amendment, section consisted of subsecs. (a) to (g) relating to allotments of assistance and approved national service positions to States and Indian tribes, reservation of the national service educational award for eligible individuals in approved positions, reservation of amounts appropriated as considered appropriate for special assistance, competitive distribution of remaining funds, application requirement, approval of positions subject to available funds, and sponsorship of approved national service positions.

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.

§ 12581a. Educational awards only program**(a) In general**

From amounts appropriated for a fiscal year to provide financial assistance under this division and consistent with the restriction in subsection (b), the Corporation may, through fixed-

amount grants (in accordance with section 12581(l) of this title), provide operational support to programs that receive approved national service positions but do not receive funds under section 12571(a) of this title.

(b) Limit on Corporation grant funds

The Corporation may provide the operational support under this section for a program in an amount that is not more than \$800 per individual enrolled in an approved national service position, or not more than \$1,000 per such individual if at least 50 percent of the persons enrolled in the program are disadvantaged youth.

(c) Inapplicable provisions

The following provisions shall not apply to programs funded under this section:

- (1) The limitation on administrative costs under section 12571(d) of this title.
- (2) The matching funds requirements under section 12571(e) of this title.
- (3) The living allowance and other benefits under sections 12583(e) and 12594 of this title (other than individualized support services for participants with disabilities under section 12594(f) of this title).

(Pub. L. 101-610, title I, § 129A, as added Pub. L. 111-13, title I, § 1307, Apr. 21, 2009, 123 Stat. 1505.)

EFFECTIVE DATE

Section 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.

§ 12582. Application for assistance and approved national service positions

(a) Time, manner, and content of application

To be eligible to receive assistance under section 12571(a) of this title or approved national service positions for participants who serve in the national service programs to be carried out using the assistance, a State, territory, subdivision of a State, Indian tribe, public or private nonprofit organization, or institution of higher education shall prepare and submit to the Corporation an application at such time, in such manner, and containing such information as the Corporation may reasonably require.

(b) Types of permissible application information

In order to have adequate information upon which to consider an application under section 12585 of this title, the Corporation may require the following information to be provided in an application submitted under subsection (a):

- (1) A description of the national service programs proposed to be carried out directly by the applicant using assistance provided under section 12571 of this title.
- (2) A description of the national service programs that are selected by the applicant to receive a grant using assistance requested under section 12571 of this title and a description of the process and criteria by which the programs were selected.
- (3) A description of other funding sources to be used, or sought to be used, for the national service programs referred to in paragraphs (1) and (2), and, if the application is submitted for the purpose of seeking a renewal of assistance,

a description of the success of the programs in reducing their reliance on Federal funds.

(4) A description of the extent to which the projects to be conducted using the assistance will address unmet human, educational, environmental, or public safety needs and produce a direct benefit for the community in which the projects are performed.

(5) A description of the plan to be used to recruit participants, including youth who are individuals with disabilities and economically disadvantaged young men and women, for the national service programs referred to in paragraphs (1) and (2).

(6) A description of the manner in which the national service programs referred to in paragraphs (1) and (2) build on existing programs, including Federal programs.

(7) A description of the manner in which the national service programs referred to in paragraphs (1) and (2) will involve participants—

- (A) in projects that build an ethic of civic responsibility and produce a positive change in the lives of participants through training and participation in meaningful service experiences and opportunities for reflection on such experiences; and
- (B) in leadership positions in implementing and evaluating the program.

(8) Measurable goals for the national service programs referred to in paragraphs (1) and (2), and a strategy to achieve such goals, in terms of—

- (A) the impact to be made in meeting unmet human, educational, environmental, or public safety needs; and
- (B) the service experience to be provided to participants in the programs.

(9) A description of the manner and extent to which the national service programs referred to in paragraphs (1) and (2) conform to the national service priorities established by the Corporation under section 12572(f) of this title.

(10) A description of the past experience of the applicant in operating a comparable program or in conducting a grant program in support of other comparable service programs.

(11) A description of the type and number of proposed service positions in which participants will receive the national service educational award described in division D and a description of the manner in which approved national service positions will be apportioned by the applicant.

(12) A description of the manner and extent to which participants, representatives of the community served, community-based agencies with a demonstrated record of experience in providing services, municipalities and governments of counties in which such a community is located, and labor organizations contributed to the development of the national service programs referred to in paragraphs (1) and (2), including the identity of the individual representing each appropriate labor organization (if any) who was consulted and the nature of the consultation.

(13) Such other information as the Corporation may reasonably require.