

(Pub. L. 101-610, title I, §165, formerly §195O, as added Pub. L. 102-484, div. A, title X, §1092(a)(1), Oct. 23, 1992, 106 Stat. 2532; renumbered §166 and amended Pub. L. 103-82, title I, §104(b), (e)(2)(H), title IV, §§402(b)(2), 403(a)(4), Sept. 21, 1993, 107 Stat. 840, 847, 919; Pub. L. 105-244, title I, §102(a)(13)(L), Oct. 7, 1998, 112 Stat. 1621; renumbered §165 and amended Pub. L. 111-13, title I, §1516, Apr. 21, 2009, 123 Stat. 1528.)

#### CODIFICATION

Section was formerly classified to section 12653o of this title prior to renumbering by Pub. L. 103-82, §104(b).

#### PRIOR PROVISIONS

A prior section 165 of Pub. L. 101-610 was classified to section 12625 of this title prior to repeal by Pub. L. 111-13, title I, §1515, Apr. 21, 2009, 123 Stat. 1528, effective Oct. 1, 2009.

Another prior section 165 of Pub. L. 101-610 was classified to section 12621 of this title prior to repeal by Pub. L. 103-82, §104(a).

#### AMENDMENTS

2009—Pars. (2) to (4). Pub. L. 111-13, §1516(2)(A), (C), added pars. (2) to (4) and struck out former pars. (2) and (3) which read as follows:

“(2) CORPS.—The terms ‘Civilian Community Corps’ and ‘Corps’ mean the Civilian Community Corps required under section 12615 of this title as part of the Civilian Community Corps Demonstration Program.

“(3) CORPS CAMP.—The term ‘Corps camp’ means the facility or central location established as the operational headquarters and boarding place for particular Corps units.”

Former par. (4) redesignated (5).

Par. (5). Pub. L. 111-13, §1516(2)(B), (D), redesignated par. (4) as (5) and substituted “National Civilian Community Corps Program” for “Civilian Community Corps Demonstration Program”. Former par. (5) redesignated (6).

Par. (6). Pub. L. 111-13, §1516(2)(B), (E), redesignated par. (5) as (6) and inserted “National” before “Civilian Community Corps”. Former par. (6) redesignated (7).

Par. (7). Pub. L. 111-13, §1516(2)(B), redesignated par. (6) as (7). Former par. (7) redesignated (8).

Par. (8). Pub. L. 111-13, §1516(2)(F), which directed substitution of “The term ‘Program’ means the National Civilian Community Corps Program” for “The terms’ and all that follows through ‘Demonstration Program’”, was executed by making the substitution for “The terms ‘Civilian Community Corps Demonstration Program’ and ‘Program’ mean the Civilian Community Corps Demonstration Program” to reflect the probable intent of Congress.

Pub. L. 111-13, §1516(2)(B), redesignated par. (7) as (8). Former par. (8) redesignated (9).

Par. (9). Pub. L. 111-13, §1516(2)(G), substituted “Service-learning” for “Service learning” in heading and “service-learning” for “service learning” in introductory provisions.

Pub. L. 111-13, §1516(2)(A), (B), redesignated par. (8) as (9) and struck out former par. (9). Text read as follows: “The term ‘superintendent’, with respect to a Corps camp, means the head of the camp under section 12615(d) of this title.”

1998—Par. (6). Pub. L. 105-244 substituted “section 1001” for “section 1141(a)”.

1993—Par. (1). Pub. L. 103-82, §402(b)(2), substituted “Corporation” for “Commission on National and Community Service”.

Par. (2). Pub. L. 103-82, §104(e)(2)(H)(i), substituted “section 12615” for “section 12653d”.

Par. (6). Pub. L. 103-82, §403(a)(4), which directed amendment of par. (6) of this section by striking par. (6) and redesignating par. (7) of this section as (6) was executed by redesignating par. (7) of this section as (6)

and striking out former par. (6) which defined “Executive Director” as Executive Director of Commission on National and Community Service, to reflect the probable intent of Congress.

Par. (7). Pub. L. 103-82, §403(a)(4)(B), which directed amendment of par. (6) of this section by redesignating par. (8) as (7) was executed by redesignating par. (8) of this section as (7), to reflect the probable intent of Congress. Former par. (7) redesignated (6).

Par. (8). Pub. L. 103-82, §403(a)(4)(B), which directed amendment of par. (6) of this section by redesignating par. (9) as (8) was executed by redesignating par. (9) of this section as (8), to reflect the probable intent of Congress. Former par. (8) redesignated (7).

Pub. L. 103-82, §104(e)(2)(H)(ii), substituted “section 12612” for “section 12653a”.

Par. (9). Pub. L. 103-82, §403(a)(4)(B), which directed amendment of par. (6) of this section by redesignating par. (10) as (9) was executed by redesignating par. (10) of this section as (9), to reflect the probable intent of Congress. Former par. (9) redesignated (8).

Par. (10). Pub. L. 103-82, §403(a)(4)(B), which directed amendment of par. (6) of this section by redesignating par. (11) as (10) was executed by redesignating par. (11) of this section as (10), to reflect the probable intent of Congress. Former par. (10) redesignated (9).

Pub. L. 103-82, §104(e)(2)(H)(iii), substituted “section 12615(d)” for “section 12653d(d)”.

Par. (11). Pub. L. 103-82, §403(a)(4)(B), which directed amendment of par. (6) of this section by redesignating par. (11) as (10) was executed by redesignating par. (11) of this section as (10), to reflect the probable intent of Congress.

Pub. L. 103-82, §104(e)(2)(H)(iv), substituted “section 12615(c)” for “section 12653d(c)”.

#### 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 Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of Title 20, Education.

#### EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by section 104(b), (e)(2)(H) of Pub. L. 103-82 effective Oct. 1, 1993, see section 123 of Pub. L. 103-82, set out as a note under section 1701 of Title 16, Conservation.

Amendment by section 402(b)(2) of Pub. L. 103-82 effective Oct. 1, 1993, see section 406(a) of Pub. L. 103-82, set out as a note under section 5061 of this title.

#### Division F—Administrative Provisions

### § 12631. Family and medical leave

#### (a) Participants in private, State, and local projects

For purposes of title I of the Family and Medical Leave Act of 1993 [29 U.S.C. 2611 et seq.], if—

(1) a participant has provided service for the period required by section 101(2)(A)(i) (29 U.S.C. 2611(2)(A)(i)), and has met the hours of service requirement of section 101(2)(A)(ii), of such Act with respect to a project authorized under the national service laws; and

(2) the service sponsor of the project is an employer described in section 101(4) of such Act (other than an employing agency within the meaning of subchapter V of chapter 63 of title 5),

the participant shall be considered to be an eligible employee of the service sponsor.

**(b) Participants in Federal projects**

For purposes of subchapter V of chapter 63 of title 5, if—

(1) a participant has provided service for the period required by section 6381(1)(B) of such title with respect to a project; and

(2) the service sponsor of the project is an employing agency within the meaning of such subchapter,

the participant shall be considered to be an employee of the service sponsor.

**(c) Treatment of absence**

The period of any absence of a participant from a service position pursuant to title I of the Family and Medical Leave Act of 1993 [29 U.S.C. 2611 et seq.] or subchapter V of chapter 63 of title 5 shall not be counted toward the completion of the term of service of the participant under section 12593 of this title.

(Pub. L. 101-610, title I, §171, Nov. 16, 1990, 104 Stat. 3159; Pub. L. 103-82, title I, §113(a), Sept. 21, 1993, 107 Stat. 861; Pub. L. 111-13, title I, §1601, Apr. 21, 2009, 123 Stat. 1529.)

## REFERENCES IN TEXT

The Family and Medical Leave Act of 1993, referred to in subsecs. (a) and (c), is Pub. L. 103-3, Feb. 5, 1993, 107 Stat. 6. Title I of the Act is classified generally to subchapter I (§2611 et seq.) of chapter 28 of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 2601 of Title 29 and Tables.

## AMENDMENTS

2009—Subsec. (a)(1). Pub. L. 111-13 substituted “with respect to a project authorized under the national service laws” for “with respect to a project”.

1993—Pub. L. 103-82 amended section generally, substituting provisions relating to family and medical leave for provisions relating to limitation on number of grants under this subchapter.

## 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 123 of Pub. L. 103-82, set out as a note under section 1701 of Title 16, Conservation.

**§ 12632. Reports****(a) State reports****(1) In general**

Each State receiving assistance under this subchapter shall prepare and submit, to the Corporation, an annual report concerning the use of assistance provided under this subchapter and the status of the national and community service programs that receive assistance under such subchapter in such State.

**(2) Local grantees**

Each State may require local grantees that receive assistance under this subchapter to supply such information to the State as is necessary to enable the State to complete the report required under paragraph (1), including a comparison of actual accomplishments with the goals established for the program, the

number of participants in the program, the number of service hours generated, and the existence of any problems, delays or adverse conditions that have affected or will affect the attainment of program goals.

**(3) Report demonstrating compliance****(A) In general**

Each State receiving assistance under this subchapter shall include information in the report required under paragraph (1) that demonstrates the compliance of the State with the provisions of this chapter, including section 12637 of this title.

**(B) Local grantees**

Each State may require local grantees to supply such information to the State as is necessary to enable the State to comply with the requirement of paragraph (1).

**(4) Availability of report**

Reports submitted under paragraph (1) shall be made available to the public on request.

**(b) Report to Congress by Corporation****(1) In general**

Not later than 120 days after the end of each fiscal year, the Corporation shall prepare and submit, to the authorizing committees, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate, a report concerning the programs that receive assistance under the national service laws.

**(2) Content**

Reports submitted under paragraph (1) shall contain a summary of the information contained in the State reports submitted under subsection (a), and shall reflect the findings and actions taken as a result of any evaluation conducted by the Corporation.

(Pub. L. 101-610, title I, §172, Nov. 16, 1990, 104 Stat. 3159; Pub. L. 103-82, title I, §114, title IV, §402(b)(1), Sept. 21, 1993, 107 Stat. 861, 918; Pub. L. 111-13, title I, §1602, Apr. 21, 2009, 123 Stat. 1529; Pub. L. 112-81, div. A, title X, §1063(c), Dec. 31, 2011, 125 Stat. 1586.)

## REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(3)(A), was in the original “this Act”, meaning Pub. L. 101-610, Nov. 16, 1990, 104 Stat. 3127, known as the National and Community Service Act of 1990, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 12501 of this title and Tables.

## AMENDMENTS

2011—Subsec. (c). Pub. L. 112-81 struck out subsec. (c). Prior to amendment, text read as follows:

“(1) STUDY.—The Secretary of Defense shall annually conduct a study of the effect of the programs carried out under this subchapter on recruitment for the Armed Forces.

“(2) REPORT.—The Secretary of Defense shall annually submit a report to the authorizing committees, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate containing the findings of the study described in paragraph (1) and such recommendations for legislative and administrative reform as the Secretary may determine to be appropriate.”