

Section 12663, Pub. L. 101-610, title III, §304, Nov. 16, 1990, 104 Stat. 3181, related to grants to the Foundation.

Section 12664, Pub. L. 101-610, title III, §305, Nov. 16, 1990, 104 Stat. 3181, related to eligibility of the Foundation for grants.

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.

SUBCHAPTER III—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

§ 12671. Projects

(a) Definition

In this section, the term “administrative organization” means a nonprofit private organization that enters into an agreement with the Corporation to carry out this section.

(b) Identification of projects

(1) Estimated number

Not later than March 1, 2002, the administrative organization, after obtaining the guidance of the heads of appropriate Federal agencies, such as the Director of the Office of Homeland Security and the Attorney General, shall—

(A) make an estimate of the number of victims killed as a result of the terrorist attacks on September 11, 2001 (referred to in this section as the “estimated number”); and

(B) compile a list that specifies, for each individual that the administrative organization determines to be such a victim, the name of the victim and the State in which the victim resided.

(2) Identified projects

The administrative organization may identify approximately the estimated number of community-based national and community service projects that meet the requirements of subsection (d). The administrative organization may name projects in honor of victims described in subsection (b)(1)(A), after obtaining the permission of an appropriate member of the victim’s family and the entity carrying out the project.

(c) Eligible entities

To be eligible to have a project named under this section, the entity carrying out the project shall be a political subdivision of a State, a business, a nonprofit organization (which may be a religious organization), an Indian tribe, or an institution of higher education.

(d) Projects

The administrative organization shall name, under this section, projects—

(1) that advance the goals of unity, and improving the quality of life in communities; and

(2) that will be planned, or for which implementation will begin, within a reasonable period after January 10, 2002, as determined by the administrative organization.

(e) Website and database

The administrative organization shall create and maintain websites and databases, to describe projects named under this section and

serve as appropriate vehicles for recognizing the projects.

(Pub. L. 101-610, title IV, §401, as added Pub. L. 107-117, div. B, §1301(b), Jan. 10, 2002, 115 Stat. 2339; amended Pub. L. 111-13, title I, §1831(b), Apr. 21, 2009, 123 Stat. 1578.)

PRIOR PROVISIONS

A prior section 12671, Pub. L. 101-610, title IV, §401, Nov. 16, 1990, 104 Stat. 3183, stated sense of Congress concerning State enactment of model Good Samaritan Food Donation Act, prior to repeal by Pub. L. 104-210, §1(a)(1), Oct. 1, 1996, 110 Stat. 3011.

A prior section 12672, Pub. L. 101-610, title IV, §402, Nov. 16, 1990, 104 Stat. 3183, which set forth the model Good Samaritan Food Donation Act, was renumbered section 22 of the Child Nutrition Act of 1966 by Pub. L. 104-210, §1(b), Oct. 1, 1996, 110 Stat. 3012, and is classified to section 1791 of this title.

A prior section 12673, Pub. L. 101-610, title IV, §403, Nov. 16, 1990, 104 Stat. 3185, provided that model Good Samaritan Food Donation Act was intended only to serve as model law for enactment by States, District of Columbia, Commonwealth of Puerto Rico, and territories and possessions of United States, and that enactment of section 12672 of this title was to have no force or effect in law, prior to repeal by Pub. L. 104-210, §1(a)(1), Oct. 1, 1996, 110 Stat. 3011.

AMENDMENTS

2009—Subsec. (a). Pub. L. 111-13, §1831(b)(1), substituted “term ‘administrative organization’ means a nonprofit private organization that enters into an agreement with the Corporation to carry out this section.” for “term ‘Foundation’ means the Points of Light Foundation funded under section 301, or another nonprofit private organization, that enters into an agreement with the Corporation to carry out this section.”

Subsecs. (b), (d), (e). Pub. L. 111-13, §1831(b)(2), substituted “administrative organization” for “Foundation” wherever appearing.

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.

SUBCHAPTER IV—AUTHORIZATION OF APPROPRIATIONS

§ 12681. Authorization of appropriations

(a) Subchapter I

(1) Division B

(A) In general

There are authorized to be appropriated to provide financial assistance under division B of subchapter I—

(i) \$97,000,000 for fiscal year 2010; and

(ii) such sums as may be necessary for each of fiscal years 2011 through 2014.

(B) Part IV reservation

Of the amount appropriated under subparagraph (A) for a fiscal year, the Corporation may reserve such sums as may be necessary to carry out part IV of division B of subchapter I.

(C) Section 12561a

Of the amount appropriated under subparagraph (A) and not reserved under subparagraph (B) for a fiscal year, not more than \$7,000,000 shall be made available for

awards to Campuses of Service under section 12561a of this title.

(D) Section 12563(c)(8)

Of the amount appropriated under subparagraph (A) and not reserved under subparagraph (B) for a fiscal year, not more than \$10,000,000 shall be made available for summer of service program grants under section 12563(c)(8) of this title, and not more than \$10,000,000 shall be deposited in the National Service Trust to support summer of service educational awards, consistent with section 12563(c)(8) of this title.

(E) Section 12563(c)(9)

Of the amount appropriated under subparagraph (A) and not reserved under subparagraph (B) for a fiscal year, not more than \$20,000,000 shall be made available for youth engagement zone programs under section 12563(c)(9) of this title.

(F) General programs

Of the amount remaining after the application of subparagraphs (A) through (E) for a fiscal year—

- (i) not more than 60 percent shall be available to provide financial assistance under part I of division B of subchapter I;
- (ii) not more than 25 percent shall be available to provide financial assistance under part II of such division; and
- (iii) not less than 15 percent shall be available to provide financial assistance under part III of such division.

(2) Divisions C and D

There are authorized to be appropriated, for each of fiscal years 2010 through 2014, such sums as may be necessary to provide financial assistance under division C of subchapter I and to provide national service educational awards under division D of subchapter I for the number of participants described in section 12571(f)(1) of this title for each such fiscal year.

(3) Division E

(A) In general

There are authorized to be appropriated to operate the National Civilian Community Corps and provide financial assistance under division E of subchapter I, such sums as may be necessary for each of fiscal years 2010 through 2014.

(B) Priority

Notwithstanding any other provision of this chapter, in obligating the amounts made available pursuant to the authorization of appropriations in this paragraph, priority shall be given to programs carrying out activities in areas for which the President has declared the existence of a major disaster, in accordance with section 5170 of this title, including a major disaster as a consequence of Hurricane Katrina or Rita.

(4) Division H

(A) Authorization

There are authorized to be appropriated such sums as may be necessary for each of

fiscal years 2010 through 2014 to provide financial assistance under division H of subchapter I.

(B) Section 12653b

Of the amount authorized under subparagraph (A) for a fiscal year, such sums as may be necessary shall be made available to provide financial assistance under section 12653b of this title and to provide national service educational awards under division D of subchapter I to the number of participants in national service positions established or increased as provided in section 12653b(b)(3) of this title for such year.

(C) Section 12653c

Of the amount authorized under subparagraph (A) for a fiscal year, \$12,000,000 shall be made available to provide financial assistance under section 12653c of this title.

(D) Section 12653h

Of the amount authorized under subparagraph (A) for a fiscal year, such sums as may be necessary shall be made available to provide financial assistance under section 12653h of this title.

(E) Section 12653k

Of the amount authorized under subparagraph (A), there shall be made available to carry out section 12653k of this title—

- (i) \$50,000,000 for fiscal year 2010;
- (ii) \$60,000,000 for fiscal year 2011;
- (iii) \$70,000,000 for fiscal year 2012;
- (iv) \$80,000,000 for fiscal year 2013; and
- (v) \$100,000,000 for fiscal year 2014.

(F) Section 12653p

Of the amount authorized under subparagraph (A), there shall be made available to carry out section 12653p of this title—

- (i) \$50,000,000 for fiscal year 2010;
- (ii) \$60,000,000 for fiscal year 2011;
- (iii) \$70,000,000 for fiscal year 2012;
- (iv) \$80,000,000 for fiscal year 2013; and
- (v) \$100,000,000 for fiscal year 2014.

(5) Administration

(A) In general

There are authorized to be appropriated for the administration of this chapter, including financial assistance under section 12576(a) of this title, such sums as may be necessary for each of fiscal years 2010 through 2014.

(B) Corporation

Of the amounts appropriated under subparagraph (A) for a fiscal year, a portion shall be made available to provide financial assistance under section 12576(a) of this title.

(6) Evaluation, training, and technical assistance

Notwithstanding paragraphs (1), (2), and (4) and any other provision of law, of the amounts appropriated for a fiscal year under divisions B, C, and H of subchapter I of this chapter and under titles I and II of the Domestic Volunteer Service Act of 1973 [42 U.S.C. 4951 et seq., 5000 et seq.], the Corporation shall reserve not

more than 2.5 percent to carry out sections 12523(e) and 12639a of this title and division K of subchapter I,¹ of which \$1,000,000 shall be used by the Corporation to carry out section 12639a of this title. Notwithstanding subsection (b), amounts so reserved shall be available only for the fiscal year for which the amounts are reserved.

(b) Availability of appropriations

Funds appropriated under this section shall remain available until expended.

(Pub. L. 101-610, title V, §501, Nov. 16, 1990, 104 Stat. 3185; Pub. L. 102-384, §11, Oct. 5, 1992, 106 Stat. 1459; Pub. L. 103-82, title III, §301(a), Sept. 21, 1993, 107 Stat. 897; Pub. L. 111-13, title I, §1841, Apr. 21, 2009, 123 Stat. 1579.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(3)(B), (5)(A), (6), was in the original "this Act", meaning Pub. L. 101-610, Nov. 16, 1990, 104 Stat. 3127, 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.

The Domestic Volunteer Service Act of 1973, referred to in subsec. (a)(6), 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. Title II of the Act is classified generally to subchapter II (§5000 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.

Division K of subchapter I, referred to in subsec. (a)(6), was in the original "subtitle J" which was translated as meaning subtitle J of title I of Pub. L. 101-610, to reflect the probable intent of Congress.

AMENDMENTS

2009—Subsec. (a). Pub. L. 111-13, §1841(1), added subsec. (a) and struck out former subsec. (a) which authorized appropriations for subchapter I of this chapter.

Subsecs. (b) to (d). Pub. L. 111-13, §1841(2), (3), redesignated subsec. (c) as (b) and struck out former subsec. (b), which authorized appropriations for subchapter II of this chapter, and subsec. (d), which specified the budget function for the appropriations authorized in this section.

1993—Pub. L. 103-82 amended section generally, substituting subsecs. (a) to (d) for former subsecs. (a) and (b) which authorized appropriations to carry out subchapter I for fiscal year 1993 and subchapter II for fiscal years 1991 to 1993.

1992—Subsec. (a)(1). Pub. L. 102-384, §11(a), amended par. (1) generally. Prior to amendment, par. (1) read as follows: "There are authorized to be appropriated to carry out subchapter I of this chapter, \$56,000,000 for fiscal year 1991, \$95,500,000 for fiscal year 1992, and \$105,000,000 for fiscal year 1993."

Subsec. (a)(2). Pub. L. 102-384, §11(b), substituted "paragraph (1)(A)" for "paragraph (1)" in introductory provisions, redesignated subpars. (B) to (D) as (A) to (C), respectively, added subpar. (D), and struck out former subpar. (A) which read as follows: "\$2,000,000 shall be made available to carry out part G of subchapter I of this chapter in each such fiscal year;"

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, §301(b), Sept. 21, 1993, 107 Stat. 898, provided that: "The amendment made by sub-

section (a) [amending this section] shall take effect on October 1, 1993."

§ 12682. Actions under national service laws to be subject to availability of appropriations

No action involving the obligation or expenditure of funds may be taken under one of the national service laws (as defined in section 12511(15)¹ of this title) unless and until the Corporation for National and Community Service has sufficient appropriations available at the time such action is taken to satisfy the obligation to be incurred or make the expenditure to be made.

(Pub. L. 103-82, title II, §205, Sept. 21, 1993, 107 Stat. 897.)

REFERENCES IN TEXT

Section 12511(15) of this title, referred to in text, was redesignated section 12511(26) by Pub. L. 111-13, title I, §1102(b)(1), Apr. 21, 2009, 123 Stat. 1467.

CODIFICATION

Section enacted as part of the National and Community Service Trust Act of 1993, and not as part of the National and Community Service Act of 1990 which comprises this chapter.

CHAPTER 130—NATIONAL AFFORDABLE HOUSING

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¹ See References in Text note below.

¹ See References in Text note below.