

(Pub. L. 101-610, title I, §183, Nov. 16, 1990, 104 Stat. 3167; Pub. L. 103-82, title I, §121(a), Sept. 21, 1993, 107 Stat. 866; Pub. L. 111-13, title I, §1611, Apr. 21, 2009, 123 Stat. 1537.)

## REFERENCES IN TEXT

This chapter, referred to in subsecs. (a)(1) and (b)(1), 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.

The Inspector General Act of 1978, referred to in subsec. (c)(2)(B), is Pub. L. 95-452, Oct. 12, 1978, 92 Stat. 1101, which is set out in the Appendix to Title 5, Government Organization and Employees.

## AMENDMENTS

2009—Subsec. (a). Pub. L. 111-13, §1611(1), substituted “Consistent with otherwise applicable law, the” for “The” in introductory provisions and inserted “territory,” after “local government,” in par. (1).

Subsec. (b). Pub. L. 111-13, §1611(2), substituted “Consistent with otherwise applicable law, the” for “The” in introductory provisions and inserted “territory” after “local government,” in par. (1).

Subsec. (c). Pub. L. 111-13, §1611(3), added subsec. (c).  
1993—Pub. L. 103-82 amended section generally, substituting provision relating to rights of access, examination, and copying for provision relating to service as tutors.

## 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.

**§ 12644. Drug-free workplace requirements**

All programs receiving grants under this subchapter shall be subject to the Drug-Free Workplace Requirements for Federal Grant Recipients under sections 8101 and 8103 to 8106 of title 41.

(Pub. L. 101-610, title I, §184, Nov. 16, 1990, 104 Stat. 3167.)

## CODIFICATION

In text, “sections 8101 and 8103 to 8106 of title 41” substituted for “sections 5153 through 5158 of the Anti-Drug Abuse Act of 1988 (41 U.S.C. 702-707)” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

**§ 12644a. Availability of assistance**

A reference in division C, D, E, or H of this subchapter regarding an entity eligible to receive direct or indirect assistance to carry out a national service program shall include a non-profit organization promoting competitive and non-competitive sporting events involving individuals with disabilities (including the Special Olympics), which enhance the quality of life for individuals with disabilities.

(Pub. L. 101-610, title I, §184A, as added Pub. L. 111-13, title I, §1613(a), Apr. 21, 2009, 123 Stat. 1541.)

## 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.

**§ 12644b. Consolidated application and reporting requirements****(a) In general**

To promote efficiency and eliminate duplicative requirements, the Corporation shall consolidate or modify application procedures and reporting requirements for programs, projects, and activities funded under the national service laws.

**(b) Report to Congress**

Not later than 18 months after the effective date of the Serve America Act, the Corporation shall submit to the authorizing committees a report containing information on the actions taken to consolidate or modify the application procedures and reporting requirements for programs, projects, and activities funded under the national service laws, including a description of the procedures for consultation with recipients of the funding.

(Pub. L. 101-610, title I, §185, as added Pub. L. 111-13, title I, §1612, Apr. 21, 2009, 123 Stat. 1538.)

## REFERENCES IN TEXT

For the effective date of the Serve America Act, referred to in subsec. (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 185 of Pub. L. 101-610 amended sections 1070a-6 and 1087vv of title 20 prior to repeal by section 122(a) of Pub. L. 103-82.

## 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.

**§ 12645. Sustainability**

The Corporation, after consultation with State Commissions and recipients of assistance, may set sustainability goals for projects or programs under the national service laws, so that recipients of assistance under the national service laws are carrying out sustainable projects or programs. Such sustainability goals shall be in writing and shall be used—

(1) to build the capacity of the projects or programs that receive assistance under the national service laws to meet community needs;

(2) in providing technical assistance to recipients of assistance under the national service laws regarding acquiring and leveraging non-Federal funds for support of the projects or programs that receive such assistance; and

(3) to determine whether the projects or programs, receiving such assistance, are generating sufficient community support.

(Pub. L. 101-610, title I, §186, as added Pub. L. 111-13, title I, §1612, Apr. 21, 2009, 123 Stat. 1538.)

## PRIOR PROVISIONS

A prior section 12645, Pub. L. 101-610, title I, §186, as added Pub. L. 102-10, §8(2), Mar. 12, 1991, 105 Stat. 31, di-

rected Commission to issue final rules or regulations necessary to implement this subchapter, prior to repeal by Pub. L. 103-82, title I, §§122(a), 123, Sept. 21, 1993, 107 Stat. 867, effective Oct. 1, 1993.

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.

**§ 12645a. Grant periods**

Unless otherwise specifically provided, the Corporation has authority to award a grant or contract, or enter into a cooperative agreement, under the national service laws for a period of 3 years.

(Pub. L. 101-610, title I, §187, as added Pub. L. 111-13, title I, §1612, Apr. 21, 2009, 123 Stat. 1538.)

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.

**§ 12645b. Generation of volunteers**

In making decisions on applications for assistance or approved national service positions under the national service laws, the Corporation shall take into consideration the extent to which the applicant's proposal will increase the involvement of volunteers in meeting community needs. In reviewing the application for this purpose, the Corporation may take into account the mission of the applicant.

(Pub. L. 101-610, title I, §188, as added Pub. L. 111-13, title I, §1612, Apr. 21, 2009, 123 Stat. 1538.)

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.

**§ 12645c. Limitation on program grant costs**

**(a) Limitation on grant amounts**

Except as otherwise provided by this section, the amount of funds provided by the Corporation for a grant to operate a program authorized under the national service laws, for supporting individuals serving in approved national service positions, may not exceed \$18,000 per full-time equivalent position.

**(b) Costs subject to limitation**

The limitation under subsection (a), and the increased limitation under subsection (e)(1), shall apply to the Corporation's share of the member support costs, staff costs, and other costs to operate a program authorized under the national service laws incurred,<sup>1</sup> by the recipient of the grant.

**(c) Costs not subject to limitation**

The limitation under subsection (a), and the increased limitation under subsection (e)(1), shall not apply to expenses under a grant authorized under the national service laws to operate a program that are not included in the grant award for operating the program.

**(d) Adjustments for inflation**

The amounts specified in subsections (a) and (e)(1) shall be adjusted each year after 2008 for

inflation as measured by the Consumer Price Index for All Urban Consumers published by the Secretary of Labor.

**(e) Waiver authority and reporting requirement**

**(1) Waiver**

The Chief Executive Officer may increase the limitation under subsection (a) to not more than \$19,500 per full-time equivalent position if necessary to meet the compelling needs of a particular program, such as—

(A) exceptional training needs for a program serving disadvantaged youth;

(B) the need to pay for increased costs relating to the participation of individuals with disabilities;

(C) the needs of tribal programs or programs located in the territories; and

(D) the need to pay for start-up costs associated with a first-time recipient of assistance under a program of the national service laws.

**(2) Reports**

The Chief Executive Officer shall report to the authorizing committees annually on all limitations increased under this subsection, with an explanation of the compelling needs justifying such increases.

(Pub. L. 101-610, title I, §189, as added Pub. L. 111-13, title I, §1612, Apr. 21, 2009, 123 Stat. 1539.)

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.

**§ 12645d. Matching funds for severely economically distressed communities**

**(a) In general**

Notwithstanding any other provision of law, a severely economically distressed community that receives assistance from the Corporation for any program under the national service laws shall not be subject to any requirements to provide matching funds for any such program, and the Federal share of such assistance for such a community may be 100 percent.

**(b) Severely economically distressed community**

For the purposes of this section, the term "severely economically distressed community" means—

(1) an area that has a mortgage foreclosure rate, home price decline, and unemployment rate all of which are above the national average for such rates or level, for the most recent 12 months for which satisfactory data are available; or

(2) a residential area that lacks basic living necessities, such as water and sewer systems, electricity, paved roads, and safe, sanitary housing.

(Pub. L. 101-610, title I, §189A, as added Pub. L. 111-13, title I, §1612, Apr. 21, 2009, 123 Stat. 1539.)

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.

<sup>1</sup> So in original. The comma probably should not appear.