

§ 5024. Use of locally generated contributions in National Senior Service Corps

Whenever locally generated contributions made to National Senior Service Corps projects under this subchapter are in excess of the amount required by the Director, the Director may not restrict the manner in which such contributions are expended if expenditures from locally generated contributions are not inconsistent with the provisions of this chapter.

(Pub. L. 93-113, title II, §224, as added Pub. L. 98-288, §16(a), May 21, 1984, 98 Stat. 194; amended Pub. L. 99-551, §10(b)(1), Oct. 27, 1986, 100 Stat. 3077; Pub. L. 101-204, title IX, §902(6), Dec. 7, 1989, 103 Stat. 1826; Pub. L. 103-82, title III, §341(b)(3), Sept. 21, 1993, 107 Stat. 904; Pub. L. 103-304, §3(b)(9), Aug. 23, 1994, 108 Stat. 1568; Pub. L. 111-13, title II, §2146(c), Apr. 21, 2009, 123 Stat. 1589.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 93-113, Oct. 1, 1973, 87 Stat. 394, known as the Domestic Volunteer Service Act of 1973, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 4950 of this title and Tables.

AMENDMENTS

2009—Pub. L. 111-13 substituted “Service” for “Volunteer” in section catchline and “Service Corps” for “Volunteer Corps” in text.

1994—Pub. L. 103-304 substituted “National Senior Volunteer Corps projects” for “volunteer projects for older Americans”.

1993—Pub. L. 103-82 amended section catchline and in text directed substitution of “National Senior Volunteer Corps projects” for “volunteer projects for Older Americans”, which could not be executed because the phrase “volunteer projects for Older Americans” did not appear in text.

1989—Pub. L. 101-204 substituted “projects” for “programs”.

1986—Pub. L. 99-551 amended directory language of Pub. L. 98-288 to correct an error, and did not involve any change in text.

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.

§ 5025. Programs of national significance

(a) Program grants for national problems of local concern; minimum amounts available; scope; implementation

(1) With not less than one-third of the funds made available under subsection (d) in each fiscal year, the Director shall make grants under the programs authorized in parts A, B, and C to support programs that address national problems of local concern.

(2) An applicant for a grant under paragraph (1) shall determine whether the program to be supported by the grant is a program under part A, B, or C, and shall submit an application as required for such program.

(3) Each program for which a grant is received under this subsection shall be carried out in accordance with the requirements applicable to the program under part A, B, or C under which the program supported by such grant is to be carried out.

(4) To the maximum extent practicable, the Director shall ensure that not less than 25 percent of the funds appropriated under this section are used to award grants—

(A) to applicants for grants under this section that are not receiving assistance from the Corporation at the time of such grant award; or

(B) to applicants from locations where no programs supported under part A, B, or C are in effect at the time of such grant award.

(5) Notwithstanding paragraph (4), if, for a fiscal year, less than 25 percent of the applicants for grants under this section are applicants described in paragraph (4), the Director may use an amount that is greater than 75 percent of the funds appropriated under this subsection to award grants to applicants that are already receiving assistance from the Corporation at the time of such grant award.

(b) Program grants for problems concerning Nation

The Director shall make grants under subsection (a) to support one or more of the following programs to address problems that concern the Nation:

(1) Programs that assist individuals with chronic and debilitating illnesses, such as acquired immune deficiency syndrome.

(2) Programs designed to decrease drug and alcohol abuse through education, prevention, treatment, and rehabilitation.

(3) Programs that work with teenage parents.

(4) Programs that establish and support mentoring programs for low-income youth, including mentoring programs that match such youth with mentors and match such youth with employment and training programs, including apprenticeship programs.

(5) Programs that provide adult and school-based literacy assistance, including literacy programs that serve youth, and adults, with limited English proficiency.

(6) Programs that provide respite care, including care for elderly individuals and for children and individuals with disabilities or chronic illnesses who are living at home.

(7) Programs that provide before-school and after-school activities, serving children in low-income communities, that may engage participants in mentoring relationships, tutoring, life skills, and study skills programs, service-learning, physical, nutrition, and health education programs, and other activities addressing the needs of the children in the communities, including children of working parents.

(8) Programs that serve children who are enrolled in child care programs, giving priority

to such programs that serve children with special needs.

(9) Programs that provide care to developmentally disabled adults who reside at home and in community-based settings, including programs that, when appropriate, involve older developmentally disabled individuals as volunteers under this subchapter.

(10) Programs that provide volunteer tutors to assist students, on a one-to-one basis, to improve the academic achievement of such students.

(11) Programs that engage older individuals with children and youth to complete service in energy conservation, environmental stewardship, or other environmental needs of a community, including service relating to conducting energy audits, insulating homes, or conducting other activities to promote energy efficiency.

(12) Programs that reach out to organizations (such as labor unions and profitmaking organizations) not previously involved in addressing national problems of local concern.

(13) Programs that provide for outreach to increase participation of members of ethnic groups who have limited English proficiency.

(14) Programs in which the grant recipients involved collaborate with criminal justice professionals and organizations in order to provide prevention programs that serve low-income youth or youth reentering society after incarceration and their families, which prevention programs may include mentoring, counseling, or employment counseling.

(15) Programs that support the community integration of individuals with disabilities.

(16) Programs that provide health, education, and welfare services that augment the activities of State and local agencies, to be carried out in a fiscal year for which the aggregate amount of funds available to such agencies is not less than the annual average aggregate amount of funds available to such agencies for the period of 3 fiscal years preceding such fiscal year.

(c) Eligibility of applicant; supplemental nature of funds available

(1) In order for an applicant to be eligible to receive a grant under subsection (a), such applicant shall demonstrate to the Director that such grant will be used to increase the total number of volunteers supported by such applicant and that such applicant has expertise applicable to implementing the proposed program for which the applicant is requesting the grant.

(2) Funds made available under subsection (d) shall be used to supplement and not supplant the number of volunteers engaged in activities under parts A, B, and C (without regard to this section) addressing the problem for which such funds are awarded unless such sums are an extension of funds previously provided under this section.

(d) Amount of funds available for grants

(1) Except as provided in paragraph (2), from the amounts appropriated under subsection (a), (b), (c), or (d) of section 5082 of this title, for each fiscal year there shall be available to the Director such sums as may be necessary to make grants under subsection (a).

(2) No funds shall be available to the Director to make grants under subsection (a) for a fiscal year unless the amounts appropriated under subsections (a), (b), and (c) of section 5082 of this title and available for such fiscal year to carry out parts A, B, and C (without regard to this section) are sufficient to maintain the number of projects and volunteers funded under parts A, B, and C, respectively, in the preceding fiscal year.

(e) Dissemination of information respecting grants

The Director shall widely disseminate information on grants that may be made under subsection (a) to field personnel of the Corporation and to community volunteer organizations that request such information.

(Pub. L. 93-113, title II, §225, as added Pub. L. 101-204, title V, §502(a), Dec. 7, 1989, 103 Stat. 1815; amended Pub. L. 103-82, title III, §349, title IV, §405(a)(6), Sept. 21, 1993, 107 Stat. 906, 920; Pub. L. 111-13, title II, §2146(d), Apr. 21, 2009, 123 Stat. 1589.)

AMENDMENTS

2009—Subsec. (a)(1). Pub. L. 111-13, §2146(d)(1)(A), which directed substitution of “(9), (11), and (14)” for “(10), (12), (15), and (16)” in subpar. (B) and “(9)” for “(10)” in subpar. (C), could not be executed because the words to be stricken did not appear in par. (1).

Subsec. (a)(2). Pub. L. 111-13, §2146(d)(1)(B), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “Except as provided in paragraph (3), the Director may make such grants—

“(A) under the program authorized in part A of this subchapter, to support programs that address the national problems specified in subsection (b) of this section;

“(B) under the program authorized in part B of this subchapter, to support programs that address the national problems specified in subsection (b) of this section, other than paragraphs (10), (12), (15), and (16) of such subsection; and

“(C) under the program authorized in part C of this subchapter, to support programs that address the national problems referred to in paragraphs (1), (2), (5), (6), and (10) of subsection (b) of this section.”

Subsec. (a)(4), (5). Pub. L. 111-13, §2146(d)(1)(C), added pars. (4) and (5).

Subsec. (b)(2). Pub. L. 111-13, §2146(d)(2)(A), inserted “through education, prevention, treatment, and rehabilitation” after “abuse”.

Subsec. (b)(4). Pub. L. 111-13, §2146(d)(2)(B), added par. (4) and struck out former par. (4), which read as follows: “Programs that match volunteer mentors with youth who need guidance.”

Subsec. (b)(5). Pub. L. 111-13, §2146(d)(2)(C), inserted “, including literacy programs that serve youth, and adults, with limited English proficiency” after “assistance”.

Subsec. (b)(6) to (9). Pub. L. 111-13, §2146(d)(2)(D)–(F), added pars. (6) and (7), redesignated pars. (9) and (10) as (8) and (9), respectively, and struck out former pars. (6) to (8), which read as follows:

“(6) Programs that provide respite care, including care for frail elderly individuals and for disabled or chronically ill children living at home.

“(7) Programs that provide before- and after-school activities that are sponsored by organizations, such as libraries, that serve children of working parents.

“(8) Programs that work with boarder babies.”

Subsec. (b)(10). Pub. L. 111-13, §2146(d)(2)(F), (G), redesignated par. (11) as (10) and substituted “students” for “educationally disadvantaged children” and “the academic achievement of such students” for “the basic

skills of such children". Former par. (10) redesignated (9).

Subsec. (b)(11). Pub. L. 111-13, §2146(d)(2)(H), added par. (11) and struck out former par. (11), which read as follows: "Programs that address environmental needs."

Pub. L. 111-13, §2146(d)(2)(F), redesignated par. (12) as (11). Former par. (11) redesignated (10).

Subsec. (b)(12), (13). Pub. L. 111-13, §2146(d)(2)(F), redesignated pars. (13) and (14) as (12) and (13), respectively. Former par. (12) redesignated (11).

Subsec. (b)(14). Pub. L. 111-13, §2146(d)(2)(I), added par. (14) and struck out former par. (14), which read as follows: "Programs that support criminal justice activities and juvenile justice activities."

Pub. L. 111-13, §2146(d)(2)(F), redesignated par. (15) as (14). Former par. (14) redesignated (13).

Subsec. (b)(15) to (18). Pub. L. 111-13, §2146(d)(2)(J), (K), redesignated pars. (17) and (18) as (15) and (16), respectively, and struck out former par. (16), which read as follows: "Programs that involve older volunteers working with young people in apprenticeship programs." Former par. (15) redesignated (14).

Subsec. (c)(1). Pub. L. 111-13, §2146(d)(3), inserted "and that such applicant has expertise applicable to implementing the proposed program for which the applicant is requesting the grant" after "supported by such applicant".

Subsec. (e). Pub. L. 111-13, §2146(d)(4), inserted "widely" after "shall".

1993—Subsec. (a)(2)(B). Pub. L. 103-82, §349(1), substituted "paragraphs (10), (12), (15), and (16)" for "paragraph (10)".

Subsec. (b)(12) to (18). Pub. L. 103-82, §349(2), added pars. (12) to (18).

Subsec. (c)(1). Pub. L. 103-82, §349(3), struck out "under this subchapter" after "supported by such applicant".

Subsec. (d)(1). Pub. L. 103-82, §349(4), added par. (1) and struck out former par. (1) which read as follows: "Except as provided in paragraph (2), in each fiscal year there shall be available to the Director to make grants under subsection (a) of this section not more than—

"(A) \$6,000,000 from funds appropriated under section 5082(a) of this title;

"(B) \$9,000,000 from funds appropriated under section 5082(b) of this title; and

"(C) \$9,000,000 from funds appropriated under section 5082(c) of this title."

Subsec. (e). Pub. L. 103-82, §405(a)(6), substituted "the Corporation" for "the ACTION Agency".

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 section 349 of 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.

Amendment by section 405(a)(6) of Pub. L. 103-82 effective Apr. 4, 1994, see section 406(b) of Pub. L. 103-82, set out as a note under section 8332 of Title 5, Government Organization and Employees.

§ 5026. Adjustments to Federal financial assistance

(a)(1) In determining the amount of Federal financial assistance to be provided under this subchapter to applicants, the Director shall consider the impact of changes in the Consumer Price Index For All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor on the administrative costs of operating the projects for which such assistance will be provided.

(2) The Director shall, to the fullest extent practicable, make appropriate adjustments in the amount referred to in paragraph (1) to ensure the effective administration of such projects.

(b) The Director shall take reasonable actions to inform applicants for such assistance that such adjustments may be available.

(Pub. L. 93-113, title II, §226, as added Pub. L. 101-204, title V, §506, Dec. 7, 1989, 103 Stat. 1818; amended Pub. L. 103-82, title III, §350, Sept. 21, 1993, 107 Stat. 906; Pub. L. 104-66, title II, §2011, Dec. 21, 1995, 109 Stat. 726.)

AMENDMENTS

1995—Pub. L. 104-66 in subsec. (a), redesignated par. (1)(A) as (1), redesignated par. (1)(B) as (2) and substituted "paragraph (1)" for "subparagraph (A)" after "referred to in", redesignated former par. (2) as subsec. (b), and struck out former subsec. (b) which read as follows: "The Director shall submit, once every 2 years, to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report on the extent to which adjustments are made under subsection (a) of this section."

1993—Subsec. (b). Pub. L. 103-82 struck out par. (1) designation before "The Director shall", substituted "once every 2 years" for "annually", and struck out par. (2) which read as follows: "With respect to each of parts A, B, and C of this subchapter, the Director shall include in such report—

"(A) a summary of the number of, and purposes for which, such adjustments are requested by the recipients of grants and contracts under parts A, B, and C of this subchapter, respectively;

"(B) a description of the extent that such requests are accommodated; and

"(C) a statement explaining the decisions made by the Director with respect to the requested adjustments."

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.

§ 5027. Multiyear grants or contracts

(a) Maximum period; compliance requirements where period exceeds 1 year; pro rata reductions where funding below prior fiscal year amounts

(1) Subject to paragraph (2) and the availability of funds, the Director may make a grant or enter into a contract under part A, B, or C for a period not to exceed 3 years. Each applicant who receives a grant, or enters into a contract, under such part for a period exceeding 1 year shall comply with such regulations as the Director may issue to require such applicant—

(A) to demonstrate that such applicant is in compliance with such part and with the terms and conditions of such grant or contract; and

(B) to provide information to update the application submitted to obtain such grant or contract.

(2) If the amount appropriated for any fiscal year to carry out part A, B, or C in a period during which multiyear grants or contracts are in effect under such part is less than the amount appropriated to carry out such part in the first fiscal year in such period, then the amounts payable under all such grants and contracts in