

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.

REPORT ON PROGRAMS, ACTIVITIES, GRANTS, AND CONTRACTS RESULTING FROM AMENDMENT BY SECTION 7 OF PUB. L. 96-143

Pub. L. 96-143, §7(d), Dec. 13, 1979, 93 Stat. 1076, directed Director of ACTION Agency, not later than 18 months after funds were first made available to carry out activities under the amendments to this part made by section 7 of Pub. L. 96-143, to submit to appropriate committees of Congress a report on programs, activities, grants, and contracts so carried out.

EXECUTIVE ORDER NO. 12034

Ex. Ord. No. 12034, Jan. 10, 1978, 43 F.R. 1917, which provided for appointment of ACTION Community Volunteers to the Civilian Career Service, was revoked by Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617.

§ 4993. Technical and financial assistance

The Director may provide technical and financial assistance to Federal agencies, State and local governments and agencies, private non-profit organizations, employers, and other private organizations that utilize or desire to utilize volunteers in carrying out the purpose of this part.

(Pub. L. 93-113, title I, §123, as added Pub. L. 94-293, §3(b)(1), May 27, 1976, 90 Stat. 525; amended Pub. L. 98-288, §13, May 21, 1984, 98 Stat. 192; Pub. L. 101-204, title VI, §602, Dec. 7, 1989, 103 Stat. 1820; Pub. L. 103-82, title III, §332, Sept. 21, 1993, 107 Stat. 903.)

AMENDMENTS

1993—Pub. L. 103-82 amended section generally, substituting single sentence authorizing technical and financial assistance for former subsecs. (a) and (b) which contained similar general authority and provisions detailing use of the general authority.

1989—Pub. L. 101-204 designated existing provisions as subsec. (a) and added subsec. (b).

1984—Pub. L. 98-288 substituted “(2) technical assistance and training programs, including the creation or expansion of private capabilities where possible and the development of voluntary organizations, with particular emphasis on low-income, minority, and community-based groups, or (3)” for “or (2)”.

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.

§ 4994. Repealed. Pub. L. 103-82, title III, § 333(1), Sept. 21, 1993, 107 Stat. 903

Section, Pub. L. 93-113, title I, §124, as added Pub. L. 99-570, title IV, §4301(1), Oct. 27, 1986, 100 Stat. 3207-152; amended Pub. L. 100-690, title III, §3401(a)(1), Nov. 18, 1988, 102 Stat. 4252; Pub. L. 101-204, title III, §302, title VI, §603, Dec. 7, 1989, 103 Stat. 1813, 1820, related to drug abuse education and prevention services and activities.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1993, see section 392 of Pub. L. 103-82, set out as an Effective Date of 1993 Amendment note under section 4951 of this title.

§ 4995. Repealed. Pub. L. 111-13, title II, § 2132, Apr. 21, 2009, 123 Stat. 1584

Section, Pub. L. 93-113, title I, §124, formerly §125, as added Pub. L. 102-73, title VII, §701(a)(1), July 25, 1991,

105 Stat. 358; renumbered §124 and amended Pub. L. 103-82, title III, §333(2), title IV, §405(a)(5), Sept. 21, 1993, 107 Stat. 903, 920, authorized the Director to award literacy challenge grants to eligible public agencies and private organizations.

PRIOR PROVISIONS

A prior section 124 of Pub. L. 93-113 was classified to section 4994 of this title prior to repeal by Pub. L. 103-82.

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 II—NATIONAL SENIOR SERVICE CORPS

CODIFICATION

Pub. L. 111-13, title II, §2141, Apr. 21, 2009, 123 Stat. 1584, substituted “SERVICE” for “VOLUNTEER” in heading.

§ 5000. Statement of purpose

It is the purpose of this subchapter to provide—

(1) opportunities for senior service to meet unmet local, State, and national needs in the areas of education, public safety, emergency and disaster preparedness, relief, and recovery, health and human needs, and the environment;

(2) for the National Senior Service Corps, comprised of the Retired and Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, and demonstration and other programs, to empower people 55 years of age or older to contribute to their communities through service, enhance the lives of those who serve and those whom they serve, and provide communities with valuable services;

(3) opportunities for people 55 years of age or older, through the Retired and Senior Volunteer Program, to share their knowledge, experiences, abilities, and skills for the betterment of their communities and themselves;

(4) opportunities for low-income people 55 years of age or older, through the Foster Grandparents Program, to have a positive impact on the lives of children in need; and

(5) opportunities for low-income people 55 years of age or older, through the Senior Companion Program, to provide support services and companionship to other older individuals through volunteer service.

(Pub. L. 93-113, title II, §200, as added Pub. L. 101-204, title V, §501, Dec. 7, 1989, 103 Stat. 1815; amended Pub. L. 103-82, title III, §§341(b)(1), 342(b), Sept. 21, 1993, 107 Stat. 904; Pub. L. 111-13, title II, §2142, Apr. 21, 2009, 123 Stat. 1584.)

AMENDMENTS

2009—Pub. L. 111-13 amended section generally. Prior to amendment, section set forth a statement of purposes regarding the National Senior Volunteer Corps.

1993—Par. (1). Pub. L. 103-82, §§341(b)(1), 342(b), substituted “National Senior Volunteer Corps” for “Older American Volunteer Programs” and “Retired and Senior Volunteer Program” for “retired senior volunteer program”.

Par. (2). Pub. L. 103-82, §342(b), substituted “Retired and Senior Volunteer Program” for “retired senior volunteer program”.

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.

PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

§ 5001. Grants and contracts for volunteer service projects**(a) Approval of projects; rules and regulations**

In order to help retired individuals and working older individuals to share their experiences, abilities, and skills to improve their communities and themselves through service in their communities, the Director is authorized to make grants to State agencies (established or designated pursuant to section 3025(a)(1) of this title) or grants to or contracts with other public and nonprofit private agencies and organizations to pay part or all of the costs for the development or operation, or both, of volunteer service projects under this section, if the Director determines, in accordance with regulations the Director shall prescribe, that—

(1) volunteers will not be reimbursed for other than transportation, meals, and other out-of-pocket expenses incident to the provision of services under this part;

(2) only individuals 55 years of age or older will be enrolled as volunteers to provide services under this part (except for administrative purposes), and such services will be performed in the community where such individuals reside or in nearby communities either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private nonprofit organizations (other than political parties), other than projects involving the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instruction or as a place for religious worship;

(3) the project includes such short-term training as may be necessary to make the most effective use of the skills and talents of participating volunteers and individuals, and provide for the payment of the reasonable expenses of such volunteers while undergoing such training; and

(4) the project is being designed and implemented with the advice of persons competent in the field of service to be provided, as well as persons who have expertise in the management of volunteers and the needs of older individuals.

(b) Proportion of required local contribution; exceptions

In no event shall the required proportion of the local contribution (including in-kind contributions) for a grant or contract made under this section be more than 10 per centum in the first year of assistance under this section, 20 per centum in the second such year, and 30 per centum in any subsequent such years: *Provided*,

however, That the Director may make exceptions in cases of demonstrated need, determined (in accordance with regulations which the Director shall prescribe) on the basis of the financial capability of a particular recipient of assistance under this section, to permit a lesser local contribution proportion than any required contribution proportion established by the Director in generally applicable regulations.

(c) Conditions upon award of grant or contract

The Director shall not award any grant or contract under this part for a project in any State to any agency or organization unless, if such State has a State agency established or designated pursuant to section 3025(a)(1) of this title, such agency itself is the recipient of the award or such agency has been afforded at least forty-five days in which to review the project application and make recommendations thereon.

(d) Volunteer service as employment

Notwithstanding any other provision of law, volunteer service under this part shall not be deemed employment for any purpose which the Director finds is not fully consistent with the provisions and in furtherance of the purpose of this part.

(e) Duration of grant or contract; competitive process

(1) Beginning with fiscal year 2013 and for each fiscal year thereafter, each grant or contract awarded under this section, for such a year, shall be—

(A) awarded for a period of 3 years, with an option for a grant renewal of 3 years if the grantee meets the performances¹ measures established under subsection (g); and

(B) awarded through a competitive process described in paragraph (2).

(2)(A) The Corporation shall promulgate regulations establishing the competitive process required under paragraph (1)(B), and make such regulations available to the public, not later than 18 months after April 21, 2009. The Corporation shall consult with the directors of programs receiving grants under this section during the development and implementation of the competitive process.

(B) The competitive process required by subparagraph (A) shall—

(i) include the use of a peer review panel, including members with expertise in senior service and aging, to review applications;

(ii) include site inspections of programs assisted under this section, as appropriate;

(iii) in the case of an applicant who has previously received a grant or contract for a program under this section, include an evaluation of the program conducted by a review team, as described in subsection (f);

(iv) ensure that—

(I) the grants or contracts awarded under this section through the competitive process for a grant or contract cycle support an aggregate number of volunteer service years for a given geographic service area that is

¹ So in original. Probably should be "performance".