

**(2) Obligation**

The Corporation shall not obligate the funds in the reserve account until the Corporation—

(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions, summer of service educational awards associated with previously approved summer of service positions, and silver scholar educational awards associated with previously approved silver scholar positions; or

(B) obligates the funds for the payment of national service educational awards for such previously approved national service positions, summer of service educational awards for such previously approved summer of service positions, or silver scholar educational awards for such previously approved silver scholar positions, as applicable.

**(c) Audits**

The accounts of the Corporation relating to the appropriated funds for approved national service positions, approved summer of service positions, and approved silver scholar positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (a)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (a)(3).

**(d) Availability of amounts**

Except as provided in subsection (b), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 12601(a) of this title shall be available for payments of national service educational awards, summer of service educational awards, or silver scholar educational awards under section 12604 of this title.

(Pub. L. 101-610, title I, §149, as added Pub. L. 111-13, title I, §1406(a), Apr. 21, 2009, 123 Stat. 1519.)

## REFERENCES IN TEXT

The Domestic Volunteer Service Act of 1973, referred to in subsecs. (a)(1)(A)(i) and (b)(1)(B)(i), (ii), 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. Reference to subtitle A of title I of the Act probably means part A of title I of the Act, which is classified generally to part A (§4951 et seq.) of subchapter I 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.

## PRIOR PROVISIONS

A prior section 149 of Pub. L. 101-610 was classified to section 12579 of this title prior to the general amendment of subtitle D of title I of Pub. L. 101-610 (former part D of this subchapter) by Pub. L. 103-82, §102(a).

## 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.

## Division E—National Civilian Community Corps

## CODIFICATION

Subtitle E of title I of Pub. L. 101-610, comprising this division, was formerly classified to part H (§12653 et seq.) of this subchapter prior to amendment by Pub. L. 103-82, §104(b).

Pub. L. 111-13, title I, §1517, Apr. 21, 2009, 123 Stat. 1529, inserted division heading and struck out former heading.

## PRIOR PROVISIONS

This division is comprised of subtitle E, §§151-165, of title I of Pub. L. 101-610. A prior part E (§12591 et seq.), comprised of subtitle E, §§155-167, of title I of Pub. L. 101-610, related to innovative and demonstration programs and projects, prior to repeal by Pub. L. 103-82, §104(a).

**§ 12611. Purpose**

It is the purpose of this division to authorize the operation of, and support for, residential and other service programs that combine the best practices of civilian service with the best aspects of military service, including leadership and team building, to meet national and community needs. The needs to be met under such programs include those needs related to—

- (1) natural and other disasters;
- (2) infrastructure improvement;
- (3) environmental stewardship and conservation;
- (4) energy conservation; and
- (5) urban and rural development.

(Pub. L. 101-610, title I, §151, formerly §195, as added Pub. L. 102-484, div. A, title X, §1092(a)(1), Oct. 23, 1992, 106 Stat. 2522; renumbered §151, Pub. L. 103-82, title I, §104(b), Sept. 21, 1993, 107 Stat. 840; amended Pub. L. 111-13, title I, §1501, Apr. 21, 2009, 123 Stat. 1521.)

## CODIFICATION

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

## PRIOR PROVISIONS

A prior section 12611, Pub. L. 101-610, title I, §160, Nov. 16, 1990, 104 Stat. 3157, authorized Commission to make grants to Directors of Peace Corps and ACTION to carry out training and educational benefits demonstration programs, prior to repeal by Pub. L. 103-82, §104(a).

## AMENDMENTS

2009—Pub. L. 111-13 amended section generally. Prior to amendment, section provided that the purpose of this division was to authorize the establishment of a Civilian Community Corps to provide a basis for certain determinations.

## 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.

**§ 12612. Establishment of National Civilian Community Corps Program****(a) In general**

The Corporation may establish the National Civilian Community Corps Program to carry out the purpose of this division.

**(b) Program components**

Under the National Civilian Community Corps Program authorized by subsection (a), the members of a National Civilian Community Corps shall receive training and perform service in at least one of the following two program components:

- (1) A national service program.
- (2) A summer national service program.

**(c) Residential components**

Both programs referred to in subsection (b) may include a residential component.

(Pub. L. 101–610, title I, § 152, formerly § 195A, as added Pub. L. 102–484, div. A, title X, § 1092(a)(1), Oct. 23, 1992, 106 Stat. 2523; renumbered § 152 and amended Pub. L. 103–82, title I, § 104(b), title IV, § 402(b)(2), Sept. 21, 1993, 107 Stat. 840, 919; Pub. L. 111–13, title I, § 1502, Apr. 21, 2009, 123 Stat. 1521.)

## CODIFICATION

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

## PRIOR PROVISIONS

A prior section 12612, Pub. L. 101–610, title I, § 161, Nov. 16, 1990, 104 Stat. 3157; Pub. L. 102–384, § 7(a), Oct. 5, 1992, 106 Stat. 1456, related to eligibility and selection procedures, prior to repeal by Pub. L. 103–82, § 104(a).

## AMENDMENTS

2009—Pub. L. 111–13, § 1502(1), amended section catchline generally.

Subsec. (a). Pub. L. 111–13, § 1502(2), substituted “National Civilian Community Corps Program” for “Civilian Community Corps Demonstration Program”.

Subsec. (b). Pub. L. 111–13, § 1502(3), in introductory provisions, substituted “National Civilian Community Corps Program” for “Civilian Community Corps Demonstration Program” and “a National Civilian Community Corps” for “a Civilian Community Corps”.

Subsec. (c). Pub. L. 111–13, § 1502(4), added subsec. (c) and struck out former subsec. (c). Prior to amendment, text read as follows: “Both program components are residential programs. The members of the Corps in each program shall reside with other members of the Corps in Corps housing during the periods of the members’ agreed service.”

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

## 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 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.

## REPORT AND STUDY REQUIREMENTS

Pub. L. 102–484, div. A, title X, § 1092(b), Oct. 23, 1992, 106 Stat. 2534, as amended by Pub. L. 103–82, title I, § 104(e)(1)(B), (C), title IV, § 402(a)(1), Sept. 21, 1993, 107 Stat. 846, 918, related to a progress report to be submitted to the appropriate committees of Congress assessing the activities undertaken in establishing and administering Civilian Community Corps camps and analyzing the level of coordination of Corps activities with activities of other departments or agencies of the Federal Government and a report to be submitted to the appropriate committees of Congress concerning the de-

sirability and feasibility of establishing the Civilian Community Corps as an independent agency of the Federal Government.

## COORDINATION OF PROGRAMS

Pub. L. 102–484, div. A, title X, § 1093, Oct. 23, 1992, 106 Stat. 2534, as amended by Pub. L. 103–82, title I, § 104(e)(1)(B), title IV, § 402(a)(2), Sept. 21, 1993, 107 Stat. 846, 918, provided that:

“(a) COORDINATED ADMINISTRATION.—To the maximum extent practicable, the Chief of the National Guard Bureau, the Board of Directors and Chief Executive Officer of the Corporation for National and Community Service, and the Director of the Civilian Community Corps shall coordinate the National Guard Youth Opportunities Program established pursuant to section 1091 [of Pub. L. 102–484, 32 U.S.C. 501 note] and the Civilian Community Corps Demonstration Program established pursuant to the authorization contained in section 152 of the National and Community Service Act of 1990 [42 U.S.C. 12612] (as added by section 1092(a)).

“(b) OBJECTIVES.—The officials referred to in subsection (a) shall ensure that—

“(1) the programs referred to in subsection (a) are conducted in such a manner in relationship to each other that the public benefit of those programs is maximized;

“(2) to the maximum extent appropriate to meet the needs of program participants, persons who complete participation in the National Guard Youth Opportunities Program and are eligible and apply to participate in the Civilian Community Corps under the Civilian Community Corps Demonstration Program are accepted for participation in that Program; and

“(3) the programs referred to in subsection (a) are conducted simultaneously in competition with each other in the same immediate area of the United States only when the population of eligible participants in that area is sufficient to justify the simultaneous conduct of such programs in that area.”

**§ 12613. National service program****(a) In general**

Under the national service program component of the National Civilian Community Corps Program authorized by section 12612(a) of this title, eligible young people shall work in teams on National Civilian Community Corps projects.

**(b) Eligible participants**

A person shall be eligible for selection for the national service program if the person—

(1) is, or will be, at least 18 years of age on or before December 31 of the calendar year in which the individual enrolls in the program, but is not more than 24 years of age as of the date the individual begins participating in the program; and

(2) is a high school graduate or has not received a high school diploma or its equivalent.

**(c) Diverse backgrounds of participants**

In selecting persons for the national service program, the Director shall endeavor to ensure that participants are from economically, geographically, and ethnically diverse backgrounds. The Director shall take appropriate steps, including through outreach and recruitment activities, to increase the percentage of participants in the program who are disadvantaged youth to 50 percent of all participants by year 2012. The Director shall report to the authorizing committees biennially on such steps, any challenges faced, and the annual participation rates of disadvantaged youth in the program.