

The Chairman of the Board shall take such steps as are necessary to inform members who have 3 absences of this subsection. The Chairman shall notify the House and the Senate, including the appropriate committees of each body, whenever there is a vacancy created by the operation of this subsection.

(Pub. L. 96-114, title I, § 103, formerly § 4, Nov. 16, 1979, 93 Stat. 852; Pub. L. 98-33, § 1, May 25, 1983, 97 Stat. 194; Pub. L. 99-161, §§ 2, 4(d), (e), Nov. 25, 1985, 99 Stat. 934, 935; Pub. L. 100-674, § 2(b), Nov. 17, 1988, 102 Stat. 3996; Pub. L. 101-525, §§ 4-6, Nov. 6, 1990, 104 Stat. 2305, 2306; Pub. L. 106-63, § 1(b), Oct. 1, 1999, 113 Stat. 510; renumbered title I, § 103, and amended Pub. L. 106-533, § 1(b)(1), (2), (5), Nov. 22, 2000, 114 Stat. 2553, 2554; Pub. L. 109-143, § 1(c)(1), Dec. 22, 2005, 119 Stat. 2659; Pub. L. 111-200, § 2(b), July 7, 2010, 124 Stat. 1368.)

Editorial Notes

AMENDMENTS

2010—Subsec. (b). Pub. L. 111-200 added subsec. (b) and struck out former subsec. (b) which related to terms of appointed members and reappointment of members.

2005—Subsec. (a)(1)(B), (C). Pub. L. 109-143, § 1(c)(1)(A), substituted “a local” for “a a local”.

Subsec. (b)(3)(B). Pub. L. 109-143, § 1(c)(1)(B), substituted “subsection” for “section” in two places.

2000—Subsec. (i). Pub. L. 106-533, § 1(b)(5), made technical amendment to reference in original act which appears in text as reference to section 806 of this title.

1999—Subsec. (a)(1)(A). Pub. L. 106-63, § 1(b)(1), substituted “recipient of the Congressional Award” for “member of the Congressional Award Association”.

Subsec. (a)(1)(B), (C). Pub. L. 106-63, § 1(b)(2), substituted “a local Congressional Award program volunteer” for “representative of a local Congressional Award Council”.

Subsec. (a)(1)(D). Pub. L. 106-63, § 1(b)(1), substituted “recipient of the Congressional Award” for “member of the Congressional Award Association”.

1990—Subsec. (a)(4). Pub. L. 101-525, § 4, added par. (4).

Subsec. (b). Pub. L. 101-525, § 5, designated existing provision as par. (1) and substituted “and (unless reappointed under paragraph (3)) shall serve for a term of 4 years” for “but (unless reappointed) shall not serve for more than four years”, and added pars. (2) and (3).

Subsec. (j). Pub. L. 101-525, § 6, added subsec. (j).

1988—Subsec. (a)(1). Pub. L. 100-674, § 2(b)(1), in introductory provisions, substituted “25” for “thirty-three”, in subpars. (A) to (D), substituted “Six members” for “Eight members”, in subpars. (A) and (D), inserted “, 1 of whom shall be a member of the Congressional Award Association”, and in subpars. (B) and (C), inserted “, 1 of whom shall be a representative of a local Congressional Award Council”.

Subsec. (d). Pub. L. 100-674, § 2(b)(2), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: “A majority of the members of the Board shall constitute a quorum.”

1985—Subsec. (a)(2). Pub. L. 99-161, § 2(1), inserted “One of the members appointed under each of subparagraphs (A) through (D) of paragraph (1) shall be a member of the Congress.”

Subsec. (b). Pub. L. 99-161, § 2(2), amended subsec. (b) generally, substituting provisions for continuance of service of appointed members at pleasure of appointing officer, but unless reappointed, for not more than four years, for provisions limiting term of service to six years with exceptions for first appointed members and individuals appointed to Board after March 31, 1983, whose terms were limited.

Subsec. (c)(2) to (4). Pub. L. 99-161, § 2(3), struck out par. (2) limiting term of service of any member appointed to fill out an unexpired term to remainder of that term and redesignated pars. (3) and (4) as (2) and (3), respectively.

Subsec. (f). Pub. L. 99-161, § 4(d), substituted “meet at least twice a year at the call of the Chairman (with at least one meeting in the District of Columbia)” for “meet annually at the call of the Chairman”.

Subsec. (i). Pub. L. 99-161, § 4(e), inserted requirement that bylaws and other regulations include provisions preventing conflict of interest, and include appropriate fiscal control, funds accountability, etc., to comply with section 806 of this title, and inserted provisions requiring transmittal of a copy of such bylaws to each House of Congress within specified periods of time.

1983—Subsec. (a)(1). Pub. L. 98-33, § 1(a)(1), (2), substituted “thirty-three” for “seventeen” in the matter preceding subpar. (A), and substituted “Eight” for “Four” in each of subpars. (A) through (D).

Subsec. (a)(2). Pub. L. 98-33, § 1(a)(3), struck out “or the Committee for the Establishment and Promotion of the Congressional Award” after “member of the Board”.

Subsec. (b). Pub. L. 98-33, § 1(b), designated existing provisions as par. (1); in par. (1), as so designated, redesignated pars. (1) to (3) as subpars. (A) to (C), respectively, and substituted “Except as provided in paragraph (2), appointed” for “Appointed”; and added par. (2).

Statutory Notes and Related Subsidiaries

TRANSITION PROVISIONS

Pub. L. 100-674, § 3, Nov. 17, 1988, 102 Stat. 3998, provided that: “Not later than 120 days after the date of the enactment of this Act [Nov. 17, 1988], the congressional leadership shall appoint members to fill vacancies on the Congressional Award Board in accordance with section 4(a) of the Congressional Award Act [2 U.S.C. 803(a)] (as amended by section 2(b)). In filling such vacancies, the congressional leadership shall first appoint members from the Congressional Award Association and local Congressional Award Councils in accordance with section 4(a) of the Congressional Award Act (as amended by section 2(b)).”

EXCEPTIONAL TERMS FOR CERTAIN BOARD MEMBERS

Pub. L. 98-33, § 2, May 25, 1983, 97 Stat. 195, relating to exceptional terms for certain individuals appointed to the Congressional Award Board, was repealed by Pub. L. 99-161, § 5, Nov. 25, 1985, 99 Stat. 936.

§ 804. Administration

(a) Director; status; appointment and term; removal

In the administration of the Congressional Award Program, the Board shall be assisted by a Director, who shall be the principal executive of the program and who shall supervise the affairs of the Board. The Director shall be appointed by a majority vote of the Board, and shall serve for such term as the Board may determine. The Director may be removed by a majority vote of the Board.

(b) Functions of Director

The Director shall, in consultation with the Board—

- (1) formulate programs to carry out the policies of the Congressional Award Program;
- (2) establish such divisions within the Congressional Award Program as may be appropriate; and
- (3) employ and provide for the compensation of such personnel as may be necessary to carry out the Congressional Award Program, subject to such policies as the Board shall prescribe under its bylaws.

(c) Requirements regarding financial operations; noncompliance with requirements

(1) The Director shall, in consultation with the Board, ensure that appropriate policies and procedures for fiscal control and accounting are established for the financial operations of the Congressional Award Program, and that such operations are administered by personnel with expertise in accounting and financial management. Such personnel may be retained under contract. In carrying out this paragraph, the Director shall ensure that the liabilities of the Board do not in any fiscal year exceed the assets of the Board.

(2)(A) The independent public accountant conducting the annual audit of the financial records of the Board pursuant to section 807(a) of this title shall determine for each fiscal year whether the Director has substantially complied with paragraph (1). The findings made by the independent public accountant under the preceding sentence shall be included in the reports submitted under section 807(b) of this title.

(B) If the Director fails to substantially comply with paragraph (1), the Board shall instruct the Director to take such actions as may be necessary to correct such deficiencies, and shall remove and replace the Director if such deficiencies are not promptly corrected.

(Pub. L. 96–114, title I, §104, formerly §5, Nov. 16, 1979, 93 Stat. 853; Pub. L. 102–457, §2, Oct. 23, 1992, 106 Stat. 2265; Pub. L. 104–208, div. A, title V, §5401(a), Sept. 30, 1996, 110 Stat. 3009–511; Pub. L. 106–63, §1(c), Oct. 1, 1999, 113 Stat. 510; renumbered title I, §104, Pub. L. 106–533, §1(b)(1), (2), Nov. 22, 2000, 114 Stat. 2553; Pub. L. 109–143, §1(a), (c)(2), Dec. 22, 2005, 119 Stat. 2659; Pub. L. 111–200, §2(c), July 7, 2010, 124 Stat. 1369; Pub. L. 113–188, title IX, §902(c)(2), Nov. 26, 2014, 128 Stat. 2021.)

Editorial Notes

AMENDMENTS

2014—Subsec. (c)(1). Pub. L. 113–188, §902(c)(2)(A), inserted “policies and” before “procedures” and struck out “fund” before “accounting are established”.

Subsec. (c)(2)(A). Pub. L. 113–188, §902(c)(2)(B), substituted “The independent public accountant conducting the annual audit of the financial records of the Board pursuant to section 807(a) of this title” for “The Comptroller General of the United States” and “the independent public accountant” for “the Comptroller General”.

2010—Subsec. (c)(1). Pub. L. 111–200, §2(c)(1), which directed substitution of “in any fiscal year” for “, in any calendar year,” in third sentence, was executed by making the substitution for “, for any calendar year,” to reflect the probable intent of Congress.

Subsec. (c)(2). Pub. L. 111–200, §2(c)(2), added par. (2) and struck out former par. (2) which read as follows:

“(2)(A) The Comptroller General of the United States shall determine, for calendar years 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, and 2009, whether the Director has substantially complied with paragraph (1). The findings made by the Comptroller General under the preceding sentence shall be included in the first report submitted under section 807(b) of this title after December 31, 1994.

“(B) If the Director fails to substantially comply with paragraph (1), the Board shall take such actions as may be necessary to prepare, pursuant to section 808 of this title, for the orderly cessation of the activities of the Board.”

2005—Subsec. (c)(2)(A). Pub. L. 109–143 inserted comma after “1993” and substituted “2004, 2005, 2006, 2007, 2008, and 2009” for “and 2004”.

1999—Subsec. (c)(2)(A). Pub. L. 106–63 substituted “1998, 1999, 2000, 2001, 2002, 2003, and 2004” for “and 1998”.

1996—Subsec. (c)(2)(A). Pub. L. 104–208 substituted “1994, 1995, 1996, 1997, and 1998” for “and 1994”.

1992—Subsec. (c). Pub. L. 102–457 added subsec. (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113–188, title IX, §902(c)(3), Nov. 26, 2014, 128 Stat. 2022, provided that: “The amendments made by this subsection [amending this section and section 807 of this title] shall take effect on October 1, 2014.”

§ 805. Regional award directors of program; appointment criteria

Regional award directors may be appointed by the Board, upon recommendation of the Director, for any State or other appropriate geographic area of the United States. The Director shall make such recommendations with respect to a State or geographic area only after soliciting recommendations regarding such appointments from public and private youth organizations within such State or geographic area.

(Pub. L. 96–114, title I, §105, formerly §6, Nov. 16, 1979, 93 Stat. 853; renumbered title I, §105, Pub. L. 106–533, §1(b)(1), (2), Nov. 22, 2000, 114 Stat. 2553.)

§ 806. Powers, functions, and limitations

(a) General operating and expenditure authority

Subject to such limitations as may be provided for under this section, the Board may take such actions and make such expenditures as may be necessary to carry out the Congressional Award Program, except that—

(1) the Board shall carry out its functions and make expenditures with—

(A) such resources as are available to the Board from sources other than the Federal Government; and

(B) funds awarded in any grant program administered by a Federal agency in accordance with the law establishing that grant program.

(2) the Board shall not take any actions which would disqualify the Board from treatment (for tax purposes) as an organization described in section 501(c)(3) of title 26.

(b) Mandatory functions

(1) The Board shall establish such functions and procedures as may be necessary to carry out the provisions of this chapter.

(2) The functions established by the Board under paragraph (1) shall include—

(A) communication with local Congressional Award Councils concerning the Congressional Award Program;

(B) provision, upon the request of any local Congressional Award Council, of such technical assistance as may be necessary to assist such council with its responsibilities, including the provision of medals, the preparation and provision of applications, guidance on disposition of applications, arrangements with respect to local award ceremonies, and other responsibilities of such council;

(C) conduct of outreach activities to establish new local Congressional Award Councils,