

(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,