

Public Law 103-304
103d Congress

An Act

To authorize appropriations for the Martin Luther King, Jr. Federal Holiday Commission, to extend such Commission, and to support the planning and performance of national service opportunities in conjunction with the Federal legal holiday honoring the birthday of Martin Luther King, Jr.

Aug. 23, 1994
[H.R. 1933]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

King Holiday
and Service Act
of 1994.
36 USC 169j
note.

SECTION 1. SHORT TITLE.

This Act may be cited as the “King Holiday and Service Act of 1994”.

SEC. 2. MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION.

The Act entitled “An Act to establish a commission to assist in the first observance of the Federal legal holiday honoring Martin Luther King, Jr.”, approved August 27, 1984 (36 U.S.C. 169j and following) is amended—

(1) in section 3(1) by inserting “(including service opportunities)” after “activities”;

36 USC 169j-2.

(2) in section 4(a) by striking “and” at the end of paragraph (5), by striking the period at the end of paragraph (6) and inserting “; and”, and by adding at the end the following:

36 USC 169j-3.

“(7) the Chief Executive Officer of the Corporation for National and Community Service, appointed under section 193 of the National and Community Service Act of 1990 (42 U.S.C. 12651c).”;

(3) in section 6—

36 USC 169j-5.

(A) in subsection (a) by striking “maximum rate of pay payable for grade GS-18 of the General Schedule under section 5332” and inserting “rate of pay for level IV of the Executive Schedule under section 5315”;

(B) in subsection (b)(1) by adding the following at the end: “A person who has been detailed under the preceding sentence for as many as 365 days (continuously or intermittently) may not subsequently be detailed to the Commission.”; and

(C) all Federal employees on loan to the King Commission on the day of enactment of this Act may remain detailed to the Martin Luther King Holiday Commission for not more than 365 days;

36 USC 169j-5
note.

(4) by amending section 7 to read as follows:

36 USC 169j-6.

“SEC. 7. There are authorized to be appropriated to carry out this Act—

“(1) \$300,000 for fiscal year 1995;

“(2) \$350,000 for fiscal year 1996;

- “(3) \$400,000 for fiscal year 1997;
 “(4) \$450,000 for fiscal year 1998; and
 “(5) \$500,000 for fiscal year 1999.”;
 (5) by amending section 8 to read as follows:

36 USC 169j-7.

“SEC. 8. COMMISSION REPORT.

“(a) IN GENERAL.—Not later than April 20 of each year, the Commission shall submit a report to the President and the Congress concerning its activities under this Act or under the National and Community Service Act of 1990.

“(b) ANALYSIS REQUIRED.—The Commission shall include in its annual report—

“(1) a detailed description of all activities undertaken by the Commission;

“(2) an analysis of the spending practices of the Commission indicating how much of the funds of the Commission are dedicated to salaries, travel expenses, and other overhead costs and how much are dedicated to the stated goals of the Commission; and

“(3) a detailed description of any grants made by the Corporation for National and Community Service with the consultation of the Commission.”;

36 USC 169j-8.

(6) in section 9 by striking “April 20, 1994” and inserting “September 30, 1999”;

36 USC 169j-9.

(7) by adding at the end the following new section:

“SEC. 10. None of the funds appropriated or donated to the Commission may be used for the purpose of purchasing first class air travel or first class hotel accommodations.”; and

(8) by adding at the end the following:

36 USC 169j-10.

“SEC. 11. ACCOUNTING PROCEDURES.

“The Commission shall follow a comprehensive basis of accounting, as defined by the Comptroller General in B-255473. The Commission shall establish an accounting system for review by the Comptroller General under section 3512 of title 31, United States Code. The Comptroller General is authorized to review and audit the Commission, its programs, activities, operations, and financial transactions. The Comptroller General, and his agents, shall have access to all records, files, documents, and papers of the Commission, as necessary, to accomplish such audits.”.

Records.

SEC. 3. MARTIN LUTHER KING, JR., SERVICE DAY.

(a) ADDITIONAL CORPORATION ACTIVITY TO SUPPORT NATIONAL SERVICE.—Section 198 of the National and Community Service Act of 1990 (42 U.S.C. 12653) is amended by adding at the end the following new subsection:

“(s) MARTIN LUTHER KING, JR., SERVICE DAY.—

“(1) ASSISTANCE.—The Corporation may make grants to eligible entities described in paragraph (2) to pay for the Federal share of the cost of planning and carrying out service opportunities in conjunction with the Federal legal holiday honoring the birthday of Martin Luther King, Jr. Such service opportunities shall consist of activities reflecting the life and teachings of Martin Luther King, Jr., such as cooperation and understanding among racial and ethnic groups, nonviolent conflict resolution, equal economic and educational opportunities, and social justice.

“(2) ELIGIBLE ENTITIES.—Any entity otherwise eligible for assistance under the national services laws shall be eligible to receive a grant under this subsection.

“(3) CONSULTATION.—In making grants under this subsection, the Corporation shall consult with the Martin Luther King, Jr. Federal Holiday Commission established under section 2 of Public Law 98-399 (36 U.S.C. 169j-1).

“(4) FEDERAL SHARE.—Grants provided under this subsection to an eligible entity to support the planning and carrying out of a service opportunity in conjunction with the Federal legal holiday honoring the birthday of Martin Luther King, Jr., together with all other Federal funds used to plan or carry out the service opportunity, may not exceed 30 percent of the cost of planning and carrying out the service opportunity.

“(5) CALCULATION OF ENTITY CONTRIBUTIONS.—In determining the non-Federal share of the costs of planning and carrying out a service opportunity supported by a grant under this subsection, the Corporation shall consider in-kind contributions (including facilities, equipment, and services) made to plan or carry out the service opportunity.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) REFERENCE TO REPEALED SECTION.—Section 101(a)(3) of the National and Community Service Trust Act of 1993 (Public Law 103-82; 107 Stat. 788) is amended by striking “through 136” and inserting “through 135”.

42 USC 12655n.

(2) INCORRECT REFERENCE TO ACT.—Section 203(a)(3) of the National and Community Service Trust Act of 1993 (Public Law 103-82; 107 Stat. 891) is amended by striking “Act of 1993” and inserting “Act of 1990”.

42 USC 12651d.

(3) DESCRIPTION OF NATIONAL SERVICE PARTICIPANTS.—Section 137(c) of the National and Community Service Act of 1990 (42 U.S.C. 12591(c)), as added by section 101(b) of the National and Community Service Trust Act of 1993 (Public Law 103-82; 107 Stat. 809), is amended by striking “subsection (a)(5)(A)” and inserting “subsection (a)(5)”.

(4) EDUCATIONAL AWARD ELIGIBILITY REQUIREMENTS.—Section 146(a) of the National and Community Service Act of 1990 (42 U.S.C. 12602(a)), as added by section 102(a) of the National and Community Service Trust Act of 1993 (Public Law 103-82; 107 Stat. 818), is amended by striking the second paragraph (3).

(5) CIVILIAN COMMUNITY CORPS.—

(A) USE OF INCORRECT TERM.—Section 155(e) of the National and Community Service Act of 1990 (42 U.S.C. 12615(e)), as redesignated by section 104(b)(3) of the National and Community Service Trust Act of 1993 (Public Law 103-82; 107 Stat. 840), is amended by striking “CORPS” and inserting “CAMPS”.

(B) REFERENCE TO SECTION.—Subsection (c)(2)(C)(i) of section 159 of the National and Community Service Act of 1990 (42 U.S.C. 12619), as amended by section 104(e)(2)(E)(ii) of the National and Community Service Trust Act of 1993 (Public Law 103-82; 107 Stat. 847), is amended by striking “section section 162(a)(2)” and inserting “section 162(a)(2)”.

(C) CROSS REFERENCE.—Section 162(a)(1)(B)(ii) of the National and Community Service Act of 1990 (42 U.S.C.

12622(a)(1)(B)(ii)), as redesignated by section 104(b)(3) of the National and Community Service Trust Act of 1993 (Public Law 103-82; 107 Stat. 840), is amended by striking “section 4462 of the National Defense Authorization Act for Fiscal Year 1993” and inserting “section 1143a of title 10, United States Code”.

(6) PUNCTUATION.—Section 198(q)(1) of the National and Community Service Act of 1990 (42 U.S.C. 12653(q)(1)), as added by section 104(c) of the National and Community Service Trust Act of 1993 (Public Law 103-82; 107 Stat. 840), is amended by striking “1995” and inserting “1995,”.

(7) REDESIGNATED PARAGRAPH.—Subsection (b)(6) of section 103 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4953), as redesignated by section 323(b)(3) of the National and Community Service Trust Act of 1993 (Public Law 103-82; 107 Stat. 900), is amended by striking “(6)” and inserting “(5)”.

(8) SUBPARAGRAPH INDENTATION.—Subsection (c)(1)(F) of section 103 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4953), as added by section 323(c)(1)(D) of the National and Community Service Trust Act of 1993 (Public Law 103-82; 107 Stat. 900), is amended by moving the left margin two ems to the left.

(9) CORRECT EXECUTION OF AMENDMENT.—Section 224 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5024) is amended by striking “volunteer projects for older Americans” and inserting “National Senior Volunteer Corps projects”.

(10) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by this subsection shall take effect on the date of the enactment of this Act.

(B) RETROACTIVE EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect as of October 1, 1993.

Approved August 23, 1994.

42 USC 4953
note.

LEGISLATIVE HISTORY—H.R. 1933:

HOUSE REPORTS: No. 103-418, Pt. 1 (Comm. on Post Office and Civil Service).
CONGRESSIONAL RECORD, Vol. 140 (1994):

Mar. 15, considered and passed House.

May 23, 24, considered and passed Senate, amended.

Aug. 10, House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 30 (1994):

Aug. 23, Presidential remarks.