

Public Law 101-525
101st Congress

An Act

To amend the Congressional Award Act to temporarily extend the Congressional Award Board, and to otherwise revise such Act.

Nov. 6, 1990
[H.R. 5275]

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

Congressional
Award
Amendments of
1990.
2 USC 801 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Congressional Award Amendments of 1990".

SEC. 2. TEMPORARY EXTENSION OF CONGRESSIONAL AWARD BOARD.

(a) **TERMINATION OF THE BOARD.**—Section 9 of the Congressional Award Act (2 U.S.C. 808) is amended to read as follows:

"TERMINATION

"SEC. 9. The Board shall terminate October 1, 1992."

(b) **SAVINGS PROVISION.**—During the period of October 1, 1990, through the date of the enactment of this section, all actions and functions of the Congressional Award Board under the Congressional Award Act (2 U.S.C. 801 et seq.) shall have the same effect as though no lapse or termination of the Board ever occurred.

2 USC 808 note.

SEC. 3. ANNUAL REPORT.

Section 3(e) of the Congressional Award Act (2 U.S.C. 802(e)) is amended in the first sentence by striking "March 1" and inserting "April 1".

SEC. 4. DERIVATION OF APPOINTMENT.

Section 4(a) of the Congressional Award Act (2 U.S.C. 803(a)) is amended by adding at the end the following new paragraph:

"(4) For the purpose of determining the derivation of the appointment of any person appointed to the Board under this section, if there is a change in the status of majority and minority between the parties of the House or the Senate, each person appointed under this section shall be deemed to have been appointed by the leadership position set out in subsection (a)(1) of the party of the individual who made the initial appointment of such person."

SEC. 5. TERMS OF APPOINTMENT.

Section 4(b) of the Congressional Award Act (2 U.S.C. 803(b)) is amended—

- (1) by inserting "(1)" after the subsection designation;
- (2) in paragraph (1) (as so designated), by striking "but (unless" and all that follows and inserting the following: "and (unless reappointed under paragraph (3)) shall serve for a term of 4 years."; and

- (3) by adding at the end the following new paragraphs:

"(2) For the purpose of adjusting the terms of Board members to allow for staggered appointments, the following distribution of

Board terms shall take effect at the first meeting of the Board occurring after the date of the enactment of the Congressional Award Amendments of 1990:

“(A) Those members who have served 10 years or more, as of the date of such meeting, shall have an appointment expiring on a date 2 years from October 1, 1990.

“(B) Those members who have served for 6 months or less, as of the date of such meeting, shall have an appointment expiring on a date 6 years from October 11, 1990.

“(C) All other members shall apportion the remaining Board positions between equal numbers of 2 and 4 year terms (providing that if there are an unequal number of remaining members, there shall be a predominance of 4 year terms), such apportionment to be made by lot.

“(3)(A) Subject to the limitations in subparagraphs (B) and (C) of this paragraph, members of the Board may be reappointed, provided that no member may serve more than 2 consecutive terms.

“(B) Members of the Board covered under paragraph (2)(A) of this section shall not be eligible for reappointment to the Board. Members of the Board covered under subparagraphs (B) and (C) of paragraph (2) of this section may be reappointed for 1 additional consecutive 4 year term.

“(C) Members of the Board who serve as chairman of the Board shall not have the time during which they serve as chairman used in the computation of their period of service for purposes of this paragraph and paragraph (2).”.

SEC. 6. REMOVAL FROM BOARD.

Section 4 of the Congressional Award Act (2 U.S.C. 803) is amended by adding at the end the following new subsection:

“(j) Any member of the Board who fails to attend 4 consecutive Board meetings scheduled pursuant to the bylaws of the Board and for which proper notice has been given under such bylaws, or to send a designee of such member (approved in advance by the Board under provisions of its bylaws), is, by operation of this subsection, removed, for cause, from the Board as of the date of the last meeting from which they are absent. 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.”.

SEC. 7. TECHNICAL AMENDMENT, STATEWIDE COUNCILS, ACCEPTANCE OF FUNDS AND RESOURCES.

(a) TECHNICAL AMENDMENT.—Section 7 of the Congressional Award Act (2 U.S.C. 806) is amended by inserting “(a)” after the section designation.

(b) STATEWIDE COUNCILS.—Section 7 of the Congressional Award Act (2 U.S.C. 806) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (C)—

(i) by striking “conducting” and inserting “conduct”; and

(ii) by striking “State and”;

(B) by redesignating subparagraphs (D) through (G) as subparagraphs (E) through (H), respectively, and by inserting after subparagraph (C) the following new subparagraph:

“(D) in addition to those activities authorized under subparagraph (C), conduct of outreach activities to encourage, where appropriate, the establishment and development of Statewide Congressional Award Councils;” and

(C) in subparagraph (F) (as redesignated by subparagraph (B) of this paragraph), by striking “conducting” and inserting “conduct”; and

(2) by redesignating subsections (c) through (h) as subsections (d) through (i), respectively, and by inserting after subsection (b) the following new subsection:

“(c)(1) In carrying out its functions with respect to Statewide Congressional Award Councils (hereinafter in this subsection referred to as Statewide Councils) under subsection (b), the Board shall develop guidelines, criteria, and standards for the formation of Statewide Councils. In order to create a Statewide Council, Members of Congress and Senators from each respective State are encouraged to work jointly with the Board.

“(2) The establishment of Statewide Councils is intended to—

“(A) facilitate expanded public participation and involvement in the program; and

“(B) promote greater opportunities for involvement by members of the State congressional delegation.

“(3) The duties and responsibilities of each Statewide Council established pursuant to this section shall include, but not be limited to, the following:

“(A) promoting State and local awareness of the Congressional Award Program;

“(B) review of participant records and activities;

“(C) review and verification of information on, and recommendation of, candidates to the national board for approval;

“(D) planning and organization of bronze and silver award ceremonies;

“(E) assisting gold award recipients with travel to and from the national gold award ceremony; and

“(F) designation of a Statewide coordinator to serve as a liaison between the State and local boards and the national board.

“(4) Each Statewide Council established pursuant to this section is authorized to receive public monetary and in-kind contributions, which may be made available to local boards to supplement or defray operating expenses. The Board shall adopt appropriate financial management methods in order to ensure the proper accounting of these funds.

“(5) Each Statewide Council established pursuant to this section shall comply with the standard charter requirements of the national board of directors.”

(c) ACCEPTANCE OF FUNDS AND RESOURCES.—Section 7(e) of the Congressional Award Act, as redesignated by subsection (b)(2) of this section, is amended to read as follows:

“(e)(1) Subject to the provisions of paragraph (2), the Board may seek and accept funds and other resources to carry out its activities. The Board may not accept any funds or other resources which are—

“(A) donated with a restriction on their use unless such restriction merely provides that such funds or other resources be used in furtherance of the Congressional Award Program or a specific regional or local program; and

“(B) donated subject to the condition that the identity of the donor of the funds or resources shall remain anonymous.

Advertising.

The Board may permit donors to use the name of the Board or the name ‘Congressional Award Program’ in advertising.

“(2) Except as otherwise provided in this Act, the Board may not receive any Federal funds or resources. The Board may benefit from in-kind and indirect resources provided by Offices of Members of Congress or the Congress. Further, the Board is not prohibited from receiving indirect benefits from efforts or activities undertaken in collaboration with entities which receive Federal funds or resources.”.

SEC. 8. GENERAL ACCOUNTING OFFICE AUDITS.

Section 8 of the Congressional Award Act (2 U.S.C. 807) is amended—

(1) in subsection (a), in the first sentence—

(A) by striking “section 7(h)” and inserting “section 7(i)”; and

(B) by striking “at least biennially” and inserting “annually”; and

(2) by striking subsections (b) through (d) and inserting the following:

Reports.

“(b) The Comptroller General shall submit to appropriate officers, committees, and subcommittees of the Congress, by May 15th of each calendar year, a report on the results of the audit of the financial records and on any such additional areas as the Comptroller General determines deserve or require evaluation.”.

Approved November 6, 1990.

LEGISLATIVE HISTORY—H.R. 5275:

HOUSE REPORTS: No. 101-618 (Comm. on Education and Labor).

CONGRESSIONAL RECORD, Vol. 136 (1990):

July 23, considered and passed House.

Oct. 19, considered and passed Senate, amended.

Oct. 22, House concurred in Senate amendment.