

Statutory Notes and Related Subsidiaries

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.

§ 12640. Engagement of participants

A State shall not engage a participant to serve in any program that receives assistance under this subchapter unless and until amounts have been appropriated under section 12681 of this title for the provision of national service educational awards and for the payment of other necessary expenses and costs associated with such participant.

(Pub. L. 101-610, title I, §180, Nov. 16, 1990, 104 Stat. 3166; Pub. L. 103-82, title I, §119, Sept. 21, 1993, 107 Stat. 866.)

Editorial Notes

AMENDMENTS

1993—Pub. L. 103-82 substituted “national service educational awards” for “post-service benefits”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-82 effective Oct. 1, 1993, see section 123 of Pub. L. 103-82, set out as a note under section 1701 of Title 16, Conservation.

§ 12641. Contingent extension

Section 1226a of title 20 shall apply to this chapter.

(Pub. L. 101-610, title I, §181, Nov. 16, 1990, 104 Stat. 3166; Pub. L. 103-82, title I, §120(a), Sept. 21, 1993, 107 Stat. 866; Pub. L. 111-13, title I, §1609, Apr. 21, 2009, 123 Stat. 1537.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 101-610, Nov. 16, 1990, 104 Stat. 3127, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 12501 of this title and Tables.

AMENDMENTS

2009—Pub. L. 111-13 made technical amendment to reference in original act which appears in text as reference to section 1226a of title 20.

1993—Pub. L. 103-82 amended section generally, re-enacting subsec. (c) as entire section and striking out former subsecs. (a) and (b) which related to treatment of education and housing benefits and treatment of stipend for living expenses, respectively.

Statutory Notes and Related Subsidiaries

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 Pub. L. 103-82 effective Oct. 1, 1993, see section 123 of Pub. L. 103-82, set out as a note under section 1701 of Title 16, Conservation.

§ 12642. Partnerships with schools

The head of each Federal agency and department shall design and implement a comprehensive strategy to involve employees of such agencies and departments in partnership programs with elementary schools and secondary schools.

Such strategy shall include—

(1) a review of existing programs to identify and expand the opportunities for such employees to be adult volunteers in schools and for students and out-of-school youth;

(2) the designation of a senior official in each such agency and department who will be responsible for establishing partnership and youth service programs in each such agency and department and for developing partnership and youth service programs;

(3) the encouragement of employees of such agencies and departments to participate in partnership programs and other service projects;

(4) the annual recognition of outstanding service programs operated by Federal agencies; and

(5) the encouragement of businesses and professional firms to include community service among the factors considered in making hiring, compensation, and promotion decisions.

(Pub. L. 101-610, title I, §182, Nov. 16, 1990, 104 Stat. 3167; Pub. L. 103-82, title I, §111(b)(1), (2), Sept. 21, 1993, 107 Stat. 860; Pub. L. 111-13, title I, §1610, Apr. 21, 2009, 123 Stat. 1537; Pub. L. 113-188, title III, §301(b), Nov. 26, 2014, 128 Stat. 2018.)

Editorial Notes

AMENDMENTS

2014—Pub. L. 113-188 struck out subsec. (a) designation and heading before “The head of each Federal agency” and struck out subsec. (b) which required submission of reports to the Corporation and to Congress.

2009—Subsec. (b). Pub. L. 111-13 amended subsec. (b) generally. Prior to amendment, text read as follows: “Not later than 180 days after November 16, 1990, and on a regular basis thereafter, the head of each Federal agency and department shall prepare and submit, to the appropriate Committees of Congress, a report concerning the implementation of this section.”

1993—Subsec. (a)(2), (3). Pub. L. 103-82 substituted “partnership” for “adult volunteer and partnership” wherever appearing.

Statutory Notes and Related Subsidiaries

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 Pub. L. 103-82 effective Oct. 1, 1993, see section 123 of Pub. L. 103-82, set out as a note under section 1701 of Title 16, Conservation.

§ 12643. Rights of access, examination, and copying**(a) Comptroller General**

Consistent with otherwise applicable law, the Comptroller General, or any of the duly authorized representatives of the Comptroller General, shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

(1) within the possession or control of the Corporation or any State or local government, territory, Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under this chapter; and

(2) that the Comptroller General, or his representative, considers necessary to the performance of an evaluation, audit, or review.

(b) Chief Financial Officer

Consistent with otherwise applicable law, the Chief Financial Officer of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

(1) within the possession or control of the Corporation or any State or local government, territory¹ Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under this chapter; and

(2) that relates to the duties of the Chief Financial Officer.

(c) Inspector General

Consistent with otherwise applicable law, the Inspector General of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

(1) within the possession or control of the Corporation or any State or local government, territory, Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under the national service laws; and

(2) that relates to—

(A) such assistance; and

(B) the duties of the Inspector General under chapter 4 of title 5.

(Pub. L. 101-610, title I, §183, Nov. 16, 1990, 104 Stat. 3167; Pub. L. 103-82, title I, §121(a), Sept. 21, 1993, 107 Stat. 866; Pub. L. 111-13, title I, §1611, Apr. 21, 2009, 123 Stat. 1537; Pub. L. 117-286, §4(b)(83), Dec. 27, 2022, 136 Stat. 4352.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a)(1) and (b)(1), was in the original “this Act”, meaning Pub. L. 101-610, Nov. 16, 1990, 104 Stat. 3127, known as the National and Community Service Act of 1990, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 12501 of this title and Tables.

AMENDMENTS

2022—Subsec. (c)(2)(B). Pub. L. 117-286 substituted “chapter 4 of title 5.” for “the Inspector General Act of 1978 (5 U.S.C. App.).”

2009—Subsec. (a). Pub. L. 111-13, §1611(1), substituted “Consistent with otherwise applicable law, the” for “The” in introductory provisions and inserted “territory,” after “local government,” in par. (1).

Subsec. (b). Pub. L. 111-13, §1611(2), substituted “Consistent with otherwise applicable law, the” for “The” in introductory provisions and inserted “territory” after “local government,” in par. (1).

Subsec. (c). Pub. L. 111-13, §1611(3), added subsec. (c). 1993—Pub. L. 103-82 amended section generally, substituting provision relating to rights of access, exam-

ination, and copying for provision relating to service as tutors.

Statutory Notes and Related Subsidiaries

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 Pub. L. 103-82 effective Oct. 1, 1993, see section 123 of Pub. L. 103-82, set out as a note under section 1701 of Title 16, Conservation.

§ 12644. Drug-free workplace requirements

All programs receiving grants under this subchapter shall be subject to the Drug-Free Workplace Requirements for Federal Grant Recipients under sections 8101 and 8103 to 8106 of title 41.

(Pub. L. 101-610, title I, §184, Nov. 16, 1990, 104 Stat. 3167.)

Editorial Notes

CODIFICATION

In text, “sections 8101 and 8103 to 8106 of title 41” substituted for “sections 5153 through 5158 of the Anti-Drug Abuse Act of 1988 (41 U.S.C. 702-707)” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

§ 12644a. Availability of assistance

A reference in division C, D, E, or H of this subchapter regarding an entity eligible to receive direct or indirect assistance to carry out a national service program shall include a nonprofit organization promoting competitive and non-competitive sporting events involving individuals with disabilities (including the Special Olympics), which enhance the quality of life for individuals with disabilities.

(Pub. L. 101-610, title I, §184A, as added Pub. L. 111-13, title I, §1613(a), Apr. 21, 2009, 123 Stat. 1541.)

Statutory Notes and Related Subsidiaries

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.

§ 12644b. Consolidated application and reporting requirements

(a) In general

To promote efficiency and eliminate duplicative requirements, the Corporation shall consolidate or modify application procedures and reporting requirements for programs, projects, and activities funded under the national service laws.

(b) Report to Congress

Not later than 18 months after the effective date of the Serve America Act, the Corporation shall submit to the authorizing committees a report containing information on the actions taken to consolidate or modify the application procedures and reporting requirements for pro-

¹ So in original. Probably should be followed by a comma.