

Amendment by section 405(a)(6) of Pub. L. 103-82 effective Apr. 4, 1994, see section 406(b) of Pub. L. 103-82, set out as a note under section 8332 of Title 5, Government Organization and Employees.

§ 5026. Adjustments to Federal financial assistance

(a)(1) In determining the amount of Federal financial assistance to be provided under this subchapter to applicants, the Director shall consider the impact of changes in the Consumer Price Index For All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor on the administrative costs of operating the projects for which such assistance will be provided.

(2) The Director shall, to the fullest extent practicable, make appropriate adjustments in the amount referred to in paragraph (1) to ensure the effective administration of such projects.

(b) The Director shall take reasonable actions to inform applicants for such assistance that such adjustments may be available.

(Pub. L. 93-113, title II, §226, as added Pub. L. 101-204, title V, §506, Dec. 7, 1989, 103 Stat. 1818; amended Pub. L. 103-82, title III, §350, Sept. 21, 1993, 107 Stat. 906; Pub. L. 104-66, title II, §2011, Dec. 21, 1995, 109 Stat. 726.)

Editorial Notes

AMENDMENTS

1995—Pub. L. 104-66 in subsec. (a), redesignated par. (1)(A) as (1), redesignated par. (1)(B) as (2) and substituted “paragraph (1)” for “subparagraph (A)” after “referred to in”, redesignated former par. (2) as subsec. (b), and struck out former subsec. (b) which read as follows: “The Director shall submit, once every 2 years, to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report on the extent to which adjustments are made under subsection (a) of this section.”

1993—Subsec. (b). Pub. L. 103-82 struck out par. (1) designation before “The Director shall”, substituted “, once every 2 years” for “annually”, and struck out par. (2) which read as follows: “With respect to each of parts A, B, and C of this subchapter, the Director shall include in such report—

“(A) a summary of the number of, and purposes for which, such adjustments are requested by the recipients of grants and contracts under parts A, B, and C of this subchapter, respectively;

“(B) a description of the extent that such requests are accommodated; and

“(C) a statement explaining the decisions made by the Director with respect to the requested adjustments.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-82 effective Oct. 1, 1993, see section 392 of Pub. L. 103-82, set out as a note under section 4951 of this title.

§ 5027. Multiyear grants or contracts

(a) Maximum period; compliance requirements where period exceeds 1 year; pro rata reductions where funding below prior fiscal year amounts

(1) Subject to paragraph (2) and the availability of funds, the Director may make a grant

or enter into a contract under part A, B, or C for a period not to exceed 3 years. Each applicant who receives a grant, or enters into a contract, under such part for a period exceeding 1 year shall comply with such regulations as the Director may issue to require such applicant—

(A) to demonstrate that such applicant is in compliance with such part and with the terms and conditions of such grant or contract; and

(B) to provide information to update the application submitted to obtain such grant or contract.

(2) If the amount appropriated for any fiscal year to carry out part A, B, or C in a period during which multiyear grants or contracts are in effect under such part is less than the amount appropriated to carry out such part in the first fiscal year in such period, then the amounts payable under all such grants and contracts in effect in such period under such part shall be reduced pro rata.

(b) Documentation, etc., by applicant of meaningful administrative savings from multiyear grant or contract

The Director shall require each applicant for a multiyear grant or contract under this section, to document or describe in the application any meaningful administrative savings that will result from such multiyear grant or contract.

(c) Single-year grant or contract

If an applicant does not receive a multiyear grant or contract under this section, the Director shall consider such applicant for a single-year grant or contract.

(d) Projects for multiyear periods to be treated as single-year projects for specified purposes

If the Director approves an application for a contract or grant to carry out a project for a multiyear period as referred to in subsection (a), the Director shall ensure that such project shall be treated in the same manner as a single-year contract or grant with respect to—

(1) the overall level of funding for such project;

(2) any adjustments to Federal financial assistance that may be available under section 5026 of this title; and

(3) the renewal of funding on the expiration of the term of such contract or grant.

(Pub. L. 93-113, title II, §227, as added Pub. L. 101-204, title V, §507, Dec. 7, 1989, 103 Stat. 1818.)

§ 5027a. Acceptance of donations

(a) In general

Except as provided in subsection (b), an entity receiving assistance under this subchapter may accept donations, including donations in cash or in kind fairly evaluated, including plant, equipment, or services.

(b) Exception

An entity receiving assistance under this subchapter to carry out an activity shall not accept donations from the beneficiaries of the activity.

(Pub. L. 93-113, title II, §228, as added Pub. L. 111-13, title II, §2146(e), Apr. 21, 2009, 123 Stat. 1591.)

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.

PART E—DEMONSTRATION PROGRAMS

§ 5028. Authority of Director**(a) In general**

The Director is authorized to make grants to or enter into contracts with public or nonprofit organizations, including organizations funded under part A, B, or C, for the purposes of demonstrating innovative activities involving older Americans as volunteers. The Director may support under this part both volunteers receiving stipends and volunteers not receiving stipends.

(b) Activities

An organization that receives a grant or enters into a contract under subsection (a) may use funds made available through the grant or contract for activities such as—

- (1) linking youth groups and older American organizations in volunteer activities;
- (2) involving older volunteers in programs and activities different from programs and activities supported in the community; and
- (3) testing whether older American volunteer programs may contribute to new objectives or certain national priorities.

(Pub. L. 93-113, title II, § 231, as added Pub. L. 103-82, title III, § 351, Sept. 21, 1993, 107 Stat. 906.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1993, see section 392 of Pub. L. 103-82, set out as an Effective Date of 1993 Amendment note under section 4951 of this title.

§ 5028a. Prohibition

The Director may not reduce the activities, projects, or volunteers funded under the other parts of this subchapter in order to support projects under this part.

(Pub. L. 93-113, title II, § 232, as added Pub. L. 103-82, title III, § 351, Sept. 21, 1993, 107 Stat. 907.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1993, see section 392 of Pub. L. 103-82, set out as an Effective Date of 1993 Amendment note under section 4951 of this title.

SUBCHAPTER III—NATIONAL VOLUNTEER PROGRAMS TO ASSIST SMALL BUSINESSES AND PROMOTE VOLUNTEER SERVICE BY PERSONS WITH BUSINESS EXPERIENCE

§§ 5031, 5032. Repealed. Pub. L. 95-510, § 102(a), Oct. 24, 1978, 92 Stat. 1781

Section 5031, Pub. L. 93-113, title III, § 301, Oct. 1, 1973, 87 Stat. 404, set out Congressional statement of purpose in enacting this subchapter.

Section 5032, Pub. L. 93-113, title III, § 302, Oct. 1, 1973, 87 Stat. 404, authorized Director to establish, coordi-

nate, and operate national volunteer programs. See section 637 of Title 15, Commerce and Trade.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal of sections 5031 and 5032 effective Oct. 1, 1979, see section 105 of Pub. L. 95-510, set out as an Effective Date of 1978 Amendment note under section 634 of Title 15, Commerce and Trade.

SUBCHAPTER IV—ADMINISTRATION AND COORDINATION

§§ 5041, 5042. Repealed. Pub. L. 103-82, title II, § 203(b), Sept. 21, 1993, 107 Stat. 892

Section 5041, Pub. L. 93-113, title IV, § 401, Oct. 1, 1973, 87 Stat. 405; Pub. L. 96-533, title VI, § 602(a), Dec. 16, 1980, 94 Stat. 3155; Pub. L. 98-288, § 17, May 21, 1984, 98 Stat. 194; Pub. L. 99-551, § 10(e), Oct. 27, 1986, 100 Stat. 3078; Pub. L. 101-204, title VII, § 704, Dec. 7, 1989, 103 Stat. 1821; Pub. L. 103-82, title II, § 202(b), title III, § 361, Sept. 21, 1993, 107 Stat. 887, 907, related to establishment of ACTION Agency and appointment, compensation, and functions of Director and other officials. See section 12651 of this title and notes thereunder.

Section 5042, Pub. L. 93-113, title IV, § 402, Oct. 1, 1973, 87 Stat. 406; Pub. L. 94-293, § 4(b), May 27, 1976, 90 Stat. 526; Pub. L. 97-214, § 10(b)(2), July 12, 1982, 96 Stat. 175; Pub. L. 98-288, §§ 4(c)(2), 18(a), May 21, 1984, 98 Stat. 190, 194; Pub. L. 99-551, § 10(f), (i)(5), Oct. 27, 1986, 100 Stat. 3078; Pub. L. 103-82, title III, § 362, Sept. 21, 1993, 107 Stat. 907, related to authority of Director of ACTION Agency. See section 12651 of this title and notes thereunder.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal by Pub. L. 103-82 effective Apr. 4, 1994, see section 203(d) of Pub. L. 103-82, set out as an Effective Date of 1993 Amendment note under section 12651 of this title.

§ 5043. Political activities**(a) Funds use prohibition; “election” and “Federal office” defined**

No part of any funds appropriated to carry out this chapter, or any program administered by the Corporation under this chapter, shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or the outcome of any election to any State or local public office, or any voter registration activity, or to pay the salary of any officer or employee of the Corporation, who, in an official capacity as such an officer or employee, engages in any such activity. As used in this section, the term “election” (when referring to an election for Federal office) has the same meaning given such term by section 30101(1) of title 52, and the term “Federal office” has the same meaning given such term by section 30101(3) of title 52.

(b) Prohibition on program identification

(1) Programs assisted under this chapter shall not be carried on in a manner involving the use of funds, the provision of services, or the employment or assignment of personnel in a manner supporting or resulting in the identification of such programs with—

(A) any partisan or nonpartisan political activity associated with a candidate, or a con-