

Public Law 94-293  
94th Congress

An Act

To amend the Domestic Volunteer Service Act of 1973 to extend the operation of certain programs by the ACTION Agency.

May 27, 1976

[H.R. 12216]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Domestic Volunteer Service Act Amendments of 1976"

Domestic  
Volunteer Service  
Act Amendments  
of 1976.

SEC. 2. Section 114(a) of the Domestic Volunteer Service Act of 1973 (hereinafter in this Act referred to as the "Act") is amended by inserting at the end thereof the following new sentence: "In any fiscal year in which the funds appropriated for the purposes of the University Year for ACTION program under section 112 exceed \$6,700,000, the limitation provided in the preceding sentence shall not apply with respect to that portion of such appropriation which exceeds \$6,700,000."

42 USC 4951  
note.  
42 USC 4974.  
42 USC 4972.

SEC. 3. (a) Section 122(c) of the Act is amended by adding at the end thereof the following new sentence: "The Director is authorized to undertake and support volunteer service programs, and to recruit, select, and train volunteers to carry out the purpose of this part."

42 USC 4992.

(b) (1) Part C of title I of the Act is amended by adding at the end thereof the following new section:

"TECHNICAL AND FINANCIAL ASSISTANCE FOR IMPROVEMENT OF  
VOLUNTEER PROGRAMS

"SEC. 123. The Director may provide technical and financial assistance to Federal agencies, State and local governments and agencies, and private nonprofit organizations, which utilize or desire to utilize volunteers in connection with carrying out the purpose of this part. Such assistance may be used to facilitate and improve (1) methods of recruiting, training, or utilizing volunteers, or (2) the administration of volunteer programs. In providing such technical and financial assistance, the Director shall utilize, to the maximum extent feasible, existing programs, and shall seek to avoid duplication of existing programs in the public or private sectors."

42 USC 4993.

(2) The table of contents for the Act is amended by inserting immediately after the item relating to section 122 the following new item:

"Sec. 123. Technical and financial assistance for improvement of volunteer programs."

SEC. 4. (a) (1) Part A of title I of the Act is amended by adding at the end thereof the following new section:

"LIMITATIONS

"SEC. 108. Of funds appropriated for the purpose of this part under section 501, not more than 20 per centum for the fiscal year ending September 30, 1977, and for each fiscal year thereafter, may be obligated for the direct cost of supporting volunteers in programs or projects carried out pursuant to grants and contracts made under section 402(12)."

42 USC 4958.  
42 USC 5081.

42 USC 5042.

(2) The table of contents for the Act is amended by inserting immediately after the item relating to section 107 the following new item:

"Sec. 108. Limitations."

42 USC 5042.

(b) Section 402(12) of the Act is amended by striking out "(except for volunteers serving under part A of title I thereof)" and inserting in lieu thereof "(except as provided in section 108)".

Effective date.  
42 USC 4958  
note.

(c) The amendments made by subsection (a) and subsection (b) of this section shall be effective on October 1, 1976, and shall not apply to any agreement for the assignment of volunteers entered into before such date during the period of any such agreement.

42 USC 5045.

SEC. 5. (a) Section 405 of the Act is amended by adding at the end thereof the following new subsection:

"(d) In the event that a National Advisory Council to the ACTION Agency is established by administrative action after January 1, 1976, the provisions of subsections (a), (b), and (c) of this section shall apply to any such Council."

Repeal.

42 USC 5053.

(b) (1) Title IV of the Act is amended by striking out section 413.

(2) The table of contents for the Act is amended by striking out the item relating to section 413.

42 USC 5081.

SEC. 6. (a) Section 501(a) of the Act is amended by striking out "and" immediately after "June 30, 1975," and by inserting immediately after "June 30, 1976," the following: "September 30, 1977, and September 30, 1978,".

42 USC 5083.

(b) Section 503 of the Act is amended by striking out "and" immediately after "June 30, 1975," and by inserting immediately after "June 30, 1976," the following: "September 30, 1977, and September 30, 1978,".

42 USC 5084.

(c) Section 504 of the Act is amended by striking out "and" immediately after "June 30, 1975," and by inserting immediately after "June 30, 1976," the following: "September 30, 1977, and September 30, 1978,".

42 USC 5011.

SEC. 7. Section 211 of the Act is amended by adding at the end thereof the following new subsections:

Person-to-person  
services to  
children.

"(c) (1) Any public or private nonprofit agency or organization responsible for providing person-to-person services to a child in a project carried out under subsection (a) of this section shall have the exclusive authority to determine, pursuant to the provisions of paragraph (2) of this subsection—

"(A) which children may receive supportive person-to-person services under such project; and

"(B) the period of time during which such services shall be continued in the case of each individual child.

"(2) In the event that such an agency or organization determines that it is in the best interests of a mentally retarded child receiving, and of a particular foster grandparent providing, services in such a project, such relationship may be continued after the child reaches the chronological age of 21: *Provided*, That such child was receiving such services prior to attaining the chronological age of 21.

“(3) Any determination made by a public or nonprofit private agency or organization under paragraphs (1) and (2) of this subsection shall be made through mutual agreement by all parties involved with respect to the provision of services to the child involved.

“(d) For the purposes of this section, the terms ‘child’ and ‘children’ mean any individual or individuals who are less than 21 years of age.” “Child” and “children.”

Approved May 27, 1976.

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**LEGISLATIVE HISTORY:**

CONGRESSIONAL RECORD, Vol. 122 (1976):

May 4, considered and passed House.

May 13, considered and passed Senate.

