## SUBCHAPTER III—LINE ITEM VETO

CONSTITUTIONALITY OF LINE ITEM VETO

For decision holding line item veto unconstitutional, see *Clinton v. City of New York*, 524 U.S. 417, 118 S.Ct. 2091, 141 L.Ed. 2d 393 (1998).

### §§ 691 to 692. Omitted

CODIFICATION

Sections were omitted pursuant to section 5 of Pub. L. 104–130, set out as an Effective and Termination Dates note below.

Section 691, Pub. L. 93–344, title X, §1021, as added Pub. L. 104–130, §2(a), Apr. 9, 1996, 110 Stat. 1200, provided line item veto authority.

Section 691a, Pub. L. 93–344, title X, §1022, as added Pub. L. 104–130, §2(a), Apr. 9, 1996, 110 Stat. 1201; amended Pub. L. 105–33, title X, §10121(a), Aug. 5, 1997, 111 Stat. 696, required special messages to Congress of cancellations made.

Section 691b, Pub. L. 93–344, title X, §1023, as added Pub. L. 104–130, §2(a), Apr. 9, 1996, 110 Stat. 1202, provided that cancellations were to be effective unless disapproved.

Section 691c, Pub. L. 93–344, title X, §1024, as added Pub. L. 104–130, §2(a), Apr. 9, 1996, 110 Stat. 1202; amended Pub. L. 105–33, title X, §10121(b), Aug. 5, 1997, 111 Stat. 696, related to deficit reduction.

Section 691d, Pub. L. 93–344, title X, §1025, as added Pub. L. 104–130, §2(a), Apr. 9, 1996, 110 Stat. 1203, related to expedited congressional consideration of disapproval bills.

Section 691e, Pub. L. 93–344, title X, §1026, as added Pub. L. 104–130, §2(a), Apr. 9, 1996, 110 Stat. 1207; amended Pub. L. 105–33, title X, §10122, Aug. 5, 1997, 111 Stat. 697, defined terms used in this subchapter.

Section 691f, Pub. L. 93–344, title X, §1027, as added Pub. L. 104–130, §2(a), Apr. 9, 1996, 110 Stat. 1210, related to identification of limited tax benefits.

Section 692, Pub. L. 104–130, §3, Apr. 9, 1996, 110 Stat. 1211, provided for judicial review.

EFFECTIVE AND TERMINATION DATES

Pub. L. 104–130, §5, Apr. 9, 1996, 110 Stat. 1212, provided that: ''This Act [enacting this subchapter and provisions set out as a note under section 681 of this title and amending provisions set out as notes under section 621 of this title] and the amendments made by it shall take effect and apply to measures enacted on the earlier of—

''(1) the day after the enactment into law, pursuant to Article I, section 7, of the Constitution of the United States, of an Act entitled 'An Act to provide for a seven-year plan for deficit reduction and achieve a balanced Federal budget.'; or

''(2) January 1, 1997;

and shall have no force or effect on or after January 1, 2005.''

## CHAPTER 18—LEGISLATIVE PERSONNEL FINANCIAL DISCLOSURE REQUIREMENTS

### §§ 701 to 709. Transferred

CODIFICATION

Sections 701 to 709, comprising title I of the Ethics in Government Act of 1978, Pub. L. 95–521, was amended generally by Pub. L. 101–194, title II, §202, Nov. 30, 1989, 103 Stat. 1724, effective Jan. 1, 1991, and was transferred to section 101 et seq. of the Appendix to Title 5, Government Organization and Employees.

Section 701, Pub. L. 95–521, title I, §101, Oct. 26, 1978, 92 Stat. 1824; Pub. L. 96–19, §§2(a)(1), (b), (c)(1), 4(b)(1), (d)–(f), 5, June 13, 1979, 93 Stat. 37, 38, 40, related to legislative personnel financial disclosure.

Section 702, Pub. L. 95–521, title I, §102, Oct. 26, 1978, 92 Stat. 1825; Pub. L. 96–19, §§3(a)(1), (b), 6(a), 7(a)–(d)(1), (f), 9(b), (c)(1), (j), June 13, 1979, 93 Stat. 39–43; Pub. L. 97–51, §130(b), Oct. 1, 1981, 95 Stat. 966; Pub. L. 98–150, §10, Nov. 11, 1983, 97 Stat. 962, related to contents of reports.

Section 703, Pub. L. 95–521, title I, §103, Oct. 26, 1978, 92 Stat. 1831; Pub. L. 96–19, §§4(b)(2), 9(a), June 13, 1979, 93 Stat. 40, 42, related to filing of reports.

Section 704, Pub. L. 95–521, title I, §104, Oct. 26, 1978, 92 Stat. 1832; Pub. L. 96–19, §8(a), June 13, 1979, 93 Stat. 41, related to accessibility of reports.

Section 705, Pub. L. 95–521, title I, §105, Oct. 26, 1978, 92 Stat. 1833, related to review and compliance procedures.

Section 706, Pub. L. 95–521, title I, §106, Oct. 26, 1978, 92 Stat. 1833, related to failure to file or filing false reports.

Section 707, Pub. L. 95–521, title I, §107, Oct. 26, 1978, 92 Stat. 1834; Pub. L. 96–19, §9(d), (g), June 13, 1979, 93 Stat. 42, 43; Pub. L. 99–514, §2, Oct. 22, 1986, 100 Stat. 2095, related to definitions.

Section 708, Pub. L. 95–521, title I, §108, Oct. 26, 1978, 92 Stat. 1835; Pub. L. 96–19, §9(t), June 13, 1979, 93 Stat. 44, related to State laws affected.

Section 709, Pub. L. 95–521, title I, §109, Oct. 26, 1978, 92 Stat. 1836, related to study by Comptroller General.

## CHAPTER 19—CONGRESSIONAL AWARD PROGRAM

SUBCHAPTER I—CONGRESSIONAL AWARD PROGRAM

Sec.
801. Establishment, etc., of Congressional Award Board.
802. Program.
803. Board organization.
804. Administration.
805. Regional award directors of program; appointment criteria.
806. Powers, functions, and limitations.
807. Audits and evaluation.
808. Termination.

SUBCHAPTER II—CONGRESSIONAL RECOGNITION FOR EXCELLENCE IN ARTS EDUCATION

811 to 817c. Omitted.

## SUBCHAPTER I—CONGRESSIONAL AWARD PROGRAM

### § 801. Establishment, etc., of Congressional Award Board

There is established a board to be known as the Congressional Award Board (hereinafter in this subchapter referred to as the ''Board''), which shall be responsible for administering the Congressional Award Program described under section 802 of this title. The Board shall not be an agency or instrumentality of the United States, and the United States is not liable for any obligation or liability incurred by the Board.

(Pub. L. 96–114, title I, §101, formerly §2, Nov. 16, 1979, 93 Stat. 851; renumbered title I, §101, and amended Pub. L. 106–533, §1(b)(1)–(3), Nov. 22, 2000, 114 Stat. 2553.)

AMENDMENTS

2000—Pub. L. 106–533, §1(b)(3)(A), substituted ''subchapter'' for ''chapter''.

Pub. L. 106–533, §1(b)(3)(B), made technical amendment to reference in original act which appears in text as reference to section 802 of this title.

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102–457, §1, Oct. 23, 1992, 106 Stat. 2265, provided that: ''This Act [amending sections 804 and 808 of

this title] may be cited as the 'Congressional Award Act Amendments of 1992'.''

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101–525, § 1, Nov. 6, 1990, 104 Stat. 2305, provided that: ''This Act [amending sections 802, 803, and 806 to 808 of this title and enacting provisions set out as a note under section 808 of this title] may be cited as the 'Congressional Award Amendments of 1990'.''

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100–674, § 1, Nov. 17, 1988, 102 Stat. 3996, provided that: ''This Act [amending sections 802, 803, and 806 to 808 of this title and enacting provisions set out as a note under section 803 of this title] may be cited as the 'Congressional Award Act Amendments of 1988'.''

SHORT TITLE OF 1985 AMENDMENT

Pub. L. 99–161, § 1, Nov. 25, 1985, 99 Stat. 934, provided that: ''This Act [amending sections 802, 803, and 806 to 808 of this title and repealing provisions set out as a note under section 803 of this title] may be cited as the 'Congressional Award Amendments of 1985'.''

SHORT TITLE

Pub. L. 96–114, title II, § 201, as added by Pub. L. 106–533, § 1(a), Nov. 22, 2000, 114 Stat. 2545, provided that: ''This title [enacting subchapter II of this chapter] may be cited as the 'Congressional Recognition for Excellence in Arts Education Act'.''

Section 1 of Pub. L. 96–114 provided that: ''This Act [enacting this chapter] may be cited as the 'Congressional Award Act'.''

## § 802. Program

### (a) Establishment, functions, and purposes; nature of awards

The Board shall establish and administer a program to be known as the Congressional Award Program, which shall be designed to promote initiative, achievement, and excellence among youths in the areas of public service, personal development, and physical and expedition fitness. Under the program medals shall be awarded to young people within the United States, aged fourteen through twenty-three (subject to such exceptions as the Board may prescribe), who have satisfied the standards of achievement established by the Board under subsection (b) of this section. Each medal shall consist of gold-plate over bronze, rhodium over bronze, or bronze and shall be struck in accordance with subsection (f) of this section.

### (b) Implementation requirements for Board

In carrying out the Congressional Award Program, the Board shall—

(1) establish the standards of achievement required for young people to qualify as recipients of the medals and establish such procedures as may be required to verify that individuals satisfy such qualifications;

(2) designate the recipients of the medals in accordance with the standards established under paragraph (1) of this subsection;

(3) delineate such roles as the Board considers to be appropriate for the Director and Regional Directors in administering the Congressional Award, and set forth in the bylaws of the Board the duties, salaries, and benefits of the Director and Regional Directors;

(4) raise funds for the operation of the program; and

(5) take such other actions as may be appropriate for the administration of the Congressional Award Program.

No salary established by the Board under paragraph (3) shall exceed $75,000 per annum, except that for calendar years after 1986, such limit shall be increased in proportion to increases in the Consumer Price Index.

### (c) Presentation of awards

The Board shall arrange for the presentation of the awards to the recipients and shall provide for participation by Members of Congress in such presentation, when appropriate. To the extent possible, recipients shall be provided with opportunities to exchange information and views with Members of Congress during the presentation of the awards.

### (d) Scholarships for recipients of Congressional Award Gold, Silver, and Bronze Medals

The Board may award scholarships in such amounts as the Board determines to be appropriate to any recipient of the Congressional Award Gold, Silver, and Bronze Medals.

### (e) Omitted

### (f) Congressional Award Program medals

#### (1) Design and striking

The Secretary of the Treasury shall strike the medals described in subsection (a) of this section and awarded by the Board under this chapter. Subject to subsection (a) of this section, the medals shall be of such quantity, design, and specifications as the Secretary of the Treasury may determine, after consultation with the Board.

#### (2) National medals

The medals struck pursuant to this chapter are National medals for purposes of chapter 51 of title 31.

#### (3) Authorization of appropriations

There are authorized to be charged against the Numismatic Public Enterprise Fund such amounts as may be necessary to pay for the cost of the medals struck pursuant to this chapter.

(Pub. L. 96–114, title I, § 102, formerly § 3, Nov. 16, 1979, 93 Stat. 851; Pub. L. 99–161, § 4(a)–(c), Nov. 25, 1985, 99 Stat. 934; Pub. L. 100–674, § 2(a), Nov. 17, 1988, 102 Stat. 3996; Pub. L. 101–525, § 3, Nov. 6, 1990, 104 Stat. 2305; Pub. L. 103–329, title VI, § 637, Sept. 30, 1994, 108 Stat. 2431; Pub. L. 106–63, § 1(a), Oct. 1, 1999, 113 Stat. 510; renumbered title I, § 102, and amended Pub. L. 106–533, § 1(b)(1), (2), (4), Nov. 22, 2000, 114 Stat. 2553.)

CODIFICATION

Subsection (e), which required the Board to submit an annual report to Congress on the activities of the Congressional Award Program, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 199 of House Document No. 103–7.

AMENDMENTS

2000—Subsec. (e)(3). Pub. L. 106–533, § 1(b)(4)(A), which directed technical amendment to reference in original act which would have appeared in text as reference to

section 804(g)(1) of this title could not be executed because that reference did not appear in the original. See Codification note above.

Subsec. (e)(4). Pub. L. 106–533, § 1(b)(4)(B), made technical amendment to reference in original act which appears in text as reference to section 806 of this title. See Codification note above.

1999—Subsec. (e). Pub. L. 106–63 substituted ''June 1'' for ''April 1'' in introductory provisions.

1994—Subsec. (a). Pub. L. 103–329, § 637(1), struck out ''gold, silver, and bronze'' after ''Under the program'' and substituted last sentence for former last sentence which read as follows: ''The medals shall be of such design and materials as the Board may determine.''

Subsec. (f). Pub. L. 103–329, § 637(2), added subsec. (f).

1990—Subsec. (e). Pub. L. 101–525 substituted ''April 1'' for ''March 1''.

1988—Subsec. (e)(6) to (8). Pub. L. 100–674 added pars. (6) and (7) and redesignated former par. (6) as (8).

1985—Subsec. (b). Pub. L. 99–161, § 4(a), inserted provision limiting salaries established by Board under par. (3) to $75,000 per annum, such limit after 1986 being increased in proportion to Consumer Price Index.

Subsec. (d). Pub. L. 99–161, § 4(b), inserted reference to Silver and Bronze Medals.

Subsec. (e)(4). Pub. L. 99–161, § 4(c), inserted ''for each member, officer, employee, and consultant of the Board (or of the Corporation established pursuant to section 806(g)(1) of this title)''.

## § 803. Board organization

### (a) Membership; composition; appointment criteria; derivation of appointment

(1) The Board shall consist of 25 members, as follows:

(A) Six members appointed by the majority leader of the Senate, 1 of whom shall be a recipient of the Congressional Award.

(B) Six members appointed by the minority leader of the Senate, 1 of whom shall be a local Congressional Award program volunteer.

(C) Six members appointed by the Speaker of the House of Representatives, 1 of whom shall be a local Congressional Award program volunteer.

(D) Six members appointed by the minority leader of the House of Representatives, 1 of whom shall be a recipient of the Congressional Award.

(E) The Director of the Board, who shall serve as a nonvoting member.

(2) In making appointments to the Board, the congressional leadership shall consider recommendations submitted by any interested party, including any member of the Board. One of the members appointed under each of subparagraphs (A) through (D) of paragraph (1) shall be a member of the Congress.

(3) Individuals appointed to the Board shall have an interest in one or more of the fields of concern of the Congressional Award Program.

(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 this section of the party of the individual who made the initial appointment of such person.

### (b) Terms of appointed members; reappointment

(1) Appointed members of the Board shall continue to serve at the pleasure of the officer by whom they are appointed, and (unless reappointed under paragraph (3)) shall serve for a term of 4 years.

(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 November 6, 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 subsection shall not be eligible for reappointment to the Board. Members of the Board covered under subparagraphs (B) and (C) of paragraph (2) of this subsection 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).

### (c) Vacancies in membership

(1) Any vacancy in the Board shall be filled in the same manner in which the original appointment was made.

(2) Any appointed member of the Board may continue to serve after the expiration of his term until his successor has taken office.

(3) Vacancies in the membership of the Board shall not affect its power to function if there remain sufficient members to constitute a quorum under subsection (d) of this section.

### (d) Notice; quorum

(1) A meeting of the Board may be convened only if—

(A) notice of the meeting was provided to each member in accordance with the bylaws; and

(B) not less than 11 members are present for the meeting at the time given in the notice.

(2) A majority of the members present when a meeting is convened shall constitute a quorum for the remainder of the meeting.

### (e) Compensation for travel expenses of members

Members of the Board shall serve without pay but may be compensated for reasonable travel expenses incurred by them in the performance of their duties as members of the Board.

### (f) Meetings

The Board shall meet at least twice a year at the call of the Chairman (with at least one

meeting in the District of Columbia) and at such other times as the Chairman may determine to be appropriate. The Chairman shall call a meeting of the Board whenever one-third of the members of the Board submit written requests for such a meeting.

**(g) Chairman and Vice Chairman**

The Chairman and the Vice Chairman of the Board shall be elected from among the members of the Board by a majority vote of the Board for such terms as the Board determines. The Vice Chairman shall perform the duties of the Chairman in his absence.

**(h) Appointment, functions, etc., of committees; membership**

(1) The Board may appoint such committees, and assign to the committees such functions, as may be appropriate to assist the Board in carrying out its duties under this chapter. Members of such committees may include the members of the Board or such other qualified individuals as the Board may select.

(2) Any employee or officer of the Federal Government may serve as a member of a committee created by the Board, but may not receive compensation for services performed for such a committee.

**(i) Bylaws and regulations; contents; transmittal to Congress**

The Board shall establish such bylaws and other regulations as may be appropriate to enable the Board to carry out its functions under this chapter. Such bylaws and other regulations shall include provisions to prevent any conflict of interest, or the appearance of any conflict of interest, in the procurement and employment actions taken by the Board or by any officer or employee of the Board. Such bylaws shall include appropriate fiscal control, funds accountability, and operating principles to ensure compliance with the provisions of section 806 of this title. A copy of such bylaws shall be transmitted to each House of Congress not later than 90 days after November 25, 1985, and not later than 10 days after any subsequent amendment or revision of such bylaws.

**(j) Removal from Board**

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.

(Pub. L. 96–114, title I, §103, formerly §4, Nov. 16, 1979, 93 Stat. 852; Pub. L. 98–33, §1, May 25, 1983, 97 Stat. 194; Pub. L. 99–161, §§2, 4(d), (e), Nov. 25, 1985, 99 Stat. 934, 935; Pub. L. 100–674, §2(b), Nov. 17, 1988, 102 Stat. 3996; Pub. L. 101–525, §§4–6, Nov. 6, 1990, 104 Stat. 2305, 2306; Pub. L. 106–63, §1(b), Oct. 1, 1999, 113 Stat. 510; renumbered title I, §103, and amended Pub. L. 106–533, §1(b)(1), (2), (5), Nov. 22, 2000, 114 Stat. 2553, 2554; Pub. L. 109–143, §1(c)(1), Dec. 22, 2005, 119 Stat. 2659.)

AMENDMENTS

2005—Subsec. (a)(1)(B), (C). Pub. L. 109–143, §1(c)(1)(A), substituted ''a local'' for ''a a local''.

Subsec. (b)(3)(B). Pub. L. 109–143, §1(c)(1)(B), substituted ''subsection'' for ''section'' in two places.

2000—Subsec. (i). Pub. L. 106–533, §1(b)(5), made technical amendment to reference in original act which appears in text as reference to section 806 of this title.

1999—Subsec. (a)(1)(A). Pub. L. 106–63, §1(b)(1), substituted ''recipient of the Congressional Award'' for ''member of the Congressional Award Association''.

Subsec. (a)(1)(B), (C). Pub. L. 106–63, §1(b)(2), substituted ''a local Congressional Award program volunteer'' for ''representative of a local Congressional Award Council''.

Subsec. (a)(1)(D). Pub. L. 106–63, §1(b)(1), substituted ''recipient of the Congressional Award'' for ''member of the Congressional Award Association''.

1990—Subsec. (a)(4). Pub. L. 101–525, §4, added par. (4).

Subsec. (b). Pub. L. 101–525, §5, designated existing provision as par. (1) and substituted ''and (unless reappointed under paragraph (3)) shall serve for a term of 4 years'' for ''but (unless reappointed) shall not serve for more than four years'', and added pars. (2) and (3).

Subsec. (j). Pub. L. 101–525, §6, added subsec. (j).

1988—Subsec. (a)(1). Pub. L. 100–674, §2(b)(1), in introductory provisions, substituted ''25'' for ''thirty-three'', in subpars. (A) to (D), substituted ''Six members'' for ''Eight members'', in subpars. (A) and (D), inserted '', 1 of whom shall be a member of the Congressional Award Association'', and in subpars. (B) and (C), inserted '', 1 of whom shall be a representative of a local Congressional Award Council''.

Subsec. (d). Pub. L. 100–674, §2(b)(2), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: ''A majority of the members of the Board shall constitute a quorum.''

1985—Subsec. (a)(2). Pub. L. 99–161, §2(1), inserted ''One of the members appointed under each of subparagraphs (A) through (D) of paragraph (1) shall be a member of the Congress.''

Subsec. (b). Pub. L. 99–161, §2(2), amended subsec. (b) generally, substituting provisions for continuance of service of appointed members at pleasure of appointing officer, but unless reappointed, for not more than four years, for provisions limiting term of service to six years with exceptions for first appointed members and individuals appointed to Board after March 31, 1983, whose terms were limited.

Subsec. (c)(2) to (4). Pub. L. 99–161, §2(3), struck out par. (2) limiting term of service of any member appointed to fill out an unexpired term to remainder of that term and redesignated pars. (3) and (4) as (2) and (3), respectively.

Subsec. (f). Pub. L. 99–161, §4(d), substituted ''meet at least twice a year at the call of the Chairman (with at least one meeting in the District of Columbia)'' for ''meet annually at the call of the Chairman''.

Subsec. (i). Pub. L. 99–161, §4(e), inserted requirement that bylaws and other regulations include provisions preventing conflict of interest, and include appropriate fiscal control, funds accountability, etc., to comply with section 806 of this title, and inserted provisions requiring transmittal of a copy of such bylaws to each House of Congress within specified periods of time.

1983—Subsec. (a)(1). Pub. L. 98–33, §1(a)(1), (2), substituted ''thirty-three'' for ''seventeen'' in the matter preceding subpar. (A), and substituted ''Eight'' for ''Four'' in each of subpars. (A) through (D).

Subsec. (a)(2). Pub. L. 98–33, §1(a)(3), struck out ''or the Committee for the Establishment and Promotion of the Congressional Award'' after ''member of the Board''.

Subsec. (b). Pub. L. 98–33, § 1(b), designated existing provisions as par. (1); in par. (1), as so designated, redesignated pars. (1) to (3) as subpars. (A) to (C), respectively, and substituted ''Except as provided in paragraph (2), appointed'' for ''Appointed''; and added par. (2).

TRANSITION PROVISIONS

Section 3 of Pub. L. 100–674 provided that: ''Not later than 120 days after the date of the enactment of this Act [Nov. 17, 1988], the congressional leadership shall appoint members to fill vacancies on the Congressional Award Board in accordance with section 4(a) of the Congressional Award Act [2 U.S.C. 803(a)] (as amended by section 2(b)). In filling such vacancies, the congressional leadership shall first appoint members from the Congressional Award Association and local Congressional Award Councils in accordance with section 4(a) of the Congressional Award Act (as amended by section 2(b)).''

EXCEPTIONAL TERMS FOR CERTAIN BOARD MEMBERS

Section 2 of Pub. L. 98–33, relating to exceptional terms for certain individuals appointed to the Congressional Award Board, was repealed by Pub. L. 99–161, § 5, Nov. 25, 1985, 99 Stat. 936.

### § 804. Administration

#### (a) Director; status; appointment and term; removal

In the administration of the Congressional Award Program, the Board shall be assisted by a Director, who shall be the principal executive of the program and who shall supervise the affairs of the Board. The Director shall be appointed by a majority vote of the Board, and shall serve for such term as the Board may determine. The Director may be removed by a majority vote of the Board.

#### (b) Functions of Director

The Director shall, in consultation with the Board—

(1) formulate programs to carry out the policies of the Congressional Award Program;

(2) establish such divisions within the Congressional Award Program as may be appropriate; and

(3) employ and provide for the compensation of such personnel as may be necessary to carry out the Congressional Award Program, subject to such policies as the Board shall prescribe under its bylaws.

#### (c) Requirements regarding financial operations; noncompliance with requirements

(1) The Director shall, in consultation with the Board, ensure that appropriate procedures for fiscal control and fund accounting are established for the financial operations of the Congressional Award Program, and that such operations are administered by personnel with expertise in accounting and financial management. Such personnel may be retained under contract. In carrying out this paragraph, the Director shall ensure that the liabilities of the Board do not, for any calendar year, exceed the assets of the Board.

(2)(A) The Comptroller General of the United States shall determine, for calendar years 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, and 2009, whether the Director has substantially complied with paragraph (1). The findings made by the Comptroller General under the preceding sentence shall be included in the first report submitted under section 807(b)[1] of this title after December 31, 1994.

(B) If the Director fails to substantially comply with paragraph (1), the Board shall take such actions as may be necessary to prepare, pursuant to section 808[1] of this title, for the orderly cessation of the activities of the Board.

(Pub. L. 96–114, title I, § 104, formerly § 5, Nov. 16, 1979, 93 Stat. 853; Pub. L. 102–457, § 2, Oct. 23, 1992, 106 Stat. 2265; Pub. L. 104–208, div. A, title V, § 5401(a), Sept. 30, 1996, 110 Stat. 3009–511; Pub. L. 106–63, § 1(c), Oct. 1, 1999, 113 Stat. 510; renumbered title I, § 104, Pub. L. 106–533, § 1(b)(1), (2), Nov. 22, 2000, 114 Stat. 2553; Pub. L. 109–143, § 1(a), (c)(2), Dec. 22, 2005, 119 Stat. 2659.)

REFERENCES IN TEXT

Sections 807(b) and 808 of this title, referred to in subsec. (c)(2), were in the original references to sections 8(b) and 9 which were renumbered sections 107(b) and 108 by Pub. L. 106–533, § 1(b)(2), Nov. 22, 2000, 114 Stat. 2553.

AMENDMENTS

2005—Subsec. (c)(2)(A). Pub. L. 109–143 inserted comma after ''1993'' and substituted ''2004, 2005, 2006, 2007, 2008, and 2009'' for ''and 2004''.

1999—Subsec. (c)(2)(A). Pub. L. 106–63 substituted ''1998, 1999, 2000, 2001, 2002, 2003, and 2004'' for ''and 1998''.

1996—Subsec. (c)(2)(A). Pub. L. 104–208 substituted ''1994, 1995, 1996, 1997, and 1998'' for ''and 1994''.

1992—Subsec. (c). Pub. L. 102–457 added subsec. (c).

### § 805. Regional award directors of program; appointment criteria

Regional award directors may be appointed by the Board, upon recommendation of the Director, for any State or other appropriate geographic area of the United States. The Director shall make such recommendations with respect to a State or geographic area only after soliciting recommendations regarding such appointments from public and private youth organizations within such State or geographic area.

(Pub. L. 96–114, title I, § 105, formerly § 6, Nov. 16, 1979, 93 Stat. 853; renumbered title I, § 105, Pub. L. 106–533, § 1(b)(1), (2), Nov. 22, 2000, 114 Stat. 2553.)

### § 806. Powers, functions, and limitations

#### (a) General operating and expenditure authority

Subject to such limitations as may be provided for under this section, the Board may take such actions and make such expenditures as may be necessary to carry out the Congressional Award Program, except that—

(1) the Board shall carry out its functions and make expenditures with only such resources as are available to the Board from sources other than the Federal Government; and

(2) the Board shall not take any actions which would disqualify the Board from treatment (for tax purposes) as an organization described in section 501(c)(3) of title 26.

[1] See References in Text note below.

**(b) Mandatory functions**

(1) The Board shall establish such functions and procedures as may be necessary to carry out the provisions of this chapter.

(2) The functions established by the Board under paragraph (1) shall include—

(A) communication with local Congressional Award Councils concerning the Congressional Award Program;

(B) provision, upon the request of any local Congressional Award Council, of such technical assistance as may be necessary to assist such council with its responsibilities, including the provision of medals, the preparation and provision of applications, guidance on disposition of applications, arrangements with respect to local award ceremonies, and other responsibilities of such council;

(C) conduct of outreach activities to establish new local Congressional Award Councils, particularly in inner-city areas and rural areas;

(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;

(E) fundraising;

(F) conduct of an annual Gold Medal Awards ceremony in the District of Columbia;

(G) consideration of implementation of the provisions of this chapter relating to scholarships; and

(H) carrying out of duties relating to management of the national office of the Congressional Award Program, including supervision of office personnel and of the office budget.

**(c) Statewide Congressional Award Councils; establishment, purposes, duties, etc.**

(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) of this section, 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.

**(d) Contracting authority**

The Board may enter into and perform such contracts as may be appropriate to carry out its business, but the Board may not enter into any contract which would obligate the Board to expend an amount greater than the amount available to the Board for the purpose of such contract during the fiscal year in which the expenditure is made.

**(e) Obtaining and acceptance of non-Federal funds and resources; indirect resources**

(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.

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 chapter, 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.

**(f) Acceptance and utilization of services of voluntary, uncompensated personnel**

The Board may accept and utilize the services of voluntary, uncompensated personnel.

**(g) Lease, etc., of real or personal property**

The Board may lease (or otherwise hold), acquire, or dispose of real or personal property necessary for, or relating to, the duties of the Board.

**(h) Fiscal authority**

The Board shall have no power—

(1) to issue bonds, notes, debentures, or other similar obligations creating long-term indebtedness;

(2) to issue any share of stock or to declare or pay any dividends; or

(3) to provide for any part of the income or assets of the Board to inure to the benefit of any director, officer, or employee of the Board except as reasonable compensation for services or reimbursement for expenses.

**(i) Establishment, functions, etc., of private nonprofit corporation; articles of incorporation of corporation; compensation, etc., for director, officer, or employee of corporation**

(1) The Board shall provide for the establishment of a private nonprofit corporation for the sole purpose of assisting the Board to carry out the Congressional Award Program, and shall delegate to the corporation such duties as it considers appropriate.

(2) The articles of incorporation of the corporation established under this subsection shall provide that—

(A) the members of the Board of Directors of the corporation shall be the members of the Board, and the Director of the corporation shall be the Director of the Board; and

(B) the extent of the authority of the corporation shall be the same as that of the Board.

(3) No director, officer, or employee of any corporation established under this subsection may receive compensation, travel expenses, or benefits from both the corporation and the Board.

(Pub. L. 96–114, title I, § 106, formerly § 7, Nov. 16, 1979, 93 Stat. 854; Pub. L. 99–161, § 4(f), Nov. 25, 1985, 99 Stat. 935; Pub. L. 99–514, § 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 100–674, § 2(c), Nov. 17, 1988, 102 Stat. 3996; Pub. L. 101–525, § 7, Nov. 6, 1990, 104 Stat. 2306; renumbered title I, § 106, Pub. L. 106–533, § 1(b)(1), (2), Nov. 22, 2000, 114 Stat. 2553.)

AMENDMENTS

1990—Subsec. (a). Pub. L. 101–525, § 7(a), which directed the insertion of ''(a)'' after the section designation, was not executed in view of existing subsec. (a) designation.

Subsec. (b)(2)(C). Pub. L. 101–525, § 7(b)(1)(A), substituted ''conduct'' for ''conducting'' and struck out ''State and'' after ''new''.

Subsec. (b)(2)(D), (E). Pub. L. 101–525, § 7(b)(1)(B), added subpar. (D) and redesignated former subpar. (D) as (E). Former subpar. (E) redesignated (F).

Subsec. (b)(2)(F). Pub. L. 101–525, § 7(b)(1)(B), (C), redesignated subpar. (E) as (F) and substituted ''conduct'' for ''conducting''. Former subpar. (F) redesignated (G).

Subsec. (b)(2)(G), (H). Pub. L. 101–525, § 7(b)(1)(B), redesignated subpars. (F) and (G) as (G) and (H), respectively.

Subsecs. (c), (d). Pub. L. 101–525, § 7(b)(2), added subsec. (c). Former subsecs. (c) and (d) redesignated (d) and (e), respectively.

Subsec. (e). Pub. L. 101–525, § 7(b)(2), (c), redesignated subsec. (d) as (e) and amended it generally. Prior to amendment, subsec. (e) read as follows: ''The Board may seek and accept, from sources other than the Federal Government, funds and other resources to carry out its activities. The Board may not accept any funds or other resources which are—

''(1) 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

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

The Board may permit donors to use the name of the Board or the name 'Congressional Award Program' in advertising.'' Former subsec. (e) redesignated (f).

Subsecs. (f) to (i). Pub. L. 101–525, § 7(b)(2), redesignated subsecs. (e) to (h) as (f) to (i), respectively.

1988—Pub. L. 100–674, § 2(c)(1), substituted ''Powers, functions, and limitations'' for ''Powers and limitations of Board'' in section catchline.

Subsecs. (b) to (h). Pub. L. 100–674, § 2(c)(2), added subsec. (b) and redesignated former subsecs. (b) to (g) as (c) to (h), respectively.

1986—Subsec. (a)(2). Pub. L. 99–514 substituted ''Internal Revenue Code of 1986'' for ''Internal Revenue Code of 1954'', which for purposes of codification was translated as ''title 26'' thus requiring no change in text.

1985—Subsec. (c). Pub. L. 99–161 inserted at end ''The Board may permit donors to use the name of the Board or the name 'Congressional Award Program' in advertising.''

## § 807. Audits and evaluation

**(a) Annual audits by Comptroller General; access to books, documents, papers, and records**

The financial records of the Board and of any corporation established under section 806(i)[1] of this title shall be audited annually by the Comptroller General of the United States (hereinafter in this section referred to as the ''Comptroller General''). The Comptroller General, or any duly authorized representative of the Comptroller General, shall have access for the purpose of audit to any books, documents, papers, and records of the Board or such corporation (or any agent of the Board or such corporation) which, in the opinion of the Comptroller General, may be pertinent to the Congressional Award Program.

**(b) Annual report to Congress on audit results**

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.

(Pub. L. 96–114, title I, § 107, formerly § 8, Nov. 16, 1979, 93 Stat. 855; Pub. L. 99–161, § 4(g), Nov. 25, 1985, 99 Stat. 935; Pub. L. 100–674, § 2(e), Nov. 17, 1988, 102 Stat. 3998; Pub. L. 101–525, § 8, Nov. 6, 1990, 104 Stat. 2308; renumbered title I, § 107, Pub. L. 106–533, § 1(b)(1), (2), Nov. 22, 2000, 114 Stat. 2553.)

REFERENCES IN TEXT

Section 806(i) of this title, referred to in subsec. (a), was in the original a reference to section 7(i) which was renumbered section 106 by Pub. L. 106–533, § 1(b)(2), Nov. 22, 2000, 114 Stat. 2553.

AMENDMENTS

1990—Subsec. (a). Pub. L. 101–525, § 8(1), substituted ''section 806(i) of this title'' for ''section 806(h) of this title'' and ''annually'' for ''at least biennially''.

Subsec. (b). Pub. L. 101–525, § 8(2), added subsec. (b) and struck out former subsec. (b) which required audit to assess adequacy of fiscal control and funds accountability procedures and propriety of expenses.

Subsecs. (c), (d). Pub. L. 101–525, § 8(2), struck out subsec. (c) which required the Comptroller General to include in report on first audit performed after Nov. 25, 1985, an evaluation of programs and activities under this chapter and specified contents of such evaluation, and subsec. (d) which directed that report on first audit performed after Nov. 25, 1985, was to be submitted on or before May 15, 1988.

[1] See References in Text note below.

1988—Subsec. (a). Pub. L. 100–674 substituted ''section 806(h)'' for ''section 806(g)''.

1985—Pub. L. 99–161, § 4(g)(1), inserted ''and evaluation'' after ''Audits'' in section catchline.

Subsec. (a). Pub. L. 99–161, § 4(g)(2)–(4), designated existing provisions as subsec. (a), substituted ''shall be audited at least biennially'' for ''may be audited'', and struck out ''at such times as the Comptroller General may determine to be appropriate'' after ''referred to as the 'Comptroller General')''.

Subsecs. (b) to (d). Pub. L. 99–161, § 4(g)(5), added subsecs. (b) to (d).

### § 808. Termination

The Board shall terminate October 1, 2009.

(Pub. L. 96–114, title I, § 108, formerly § 9, Nov. 16, 1979, 93 Stat. 855; Pub. L. 99–161, § 3, Nov. 25, 1985, 99 Stat. 934; Pub. L. 100–674, § 2(d), Nov. 17, 1988, 102 Stat. 3997; Pub. L. 101–525, § 2(a), Nov. 6, 1990, 104 Stat. 2305; Pub. L. 102–457, § 3, Oct. 23, 1992, 106 Stat. 2266; Pub. L. 104–208, div. A, title V, § 5401(b), Sept. 30, 1996, 110 Stat. 3009–511; Pub. L. 106–63, § 1(d), Oct. 1, 1999, 113 Stat. 510; renumbered title I, § 108, Pub. L. 106–533, § 1(b)(1), (2), Nov. 22, 2000, 114 Stat. 2553; Pub. L. 109–143, § 1(b)(1), Dec. 22, 2005, 119 Stat. 2659.)

AMENDMENTS

2005—Pub. L. 109–143 substituted ''October 1, 2009'' for ''October 1, 2004''.

1999—Pub. L. 106–63 substituted ''October 1, 2004'' for ''October 1, 1999''.

1996—Pub. L. 104–208 substituted ''1999'' for ''1995''.

1992—Pub. L. 102–457 substituted ''1995'' for ''1992''.

1990—Pub. L. 101–525 amended section generally, substituting present provision for provisions which had: in subsec. (a) directed that the Board terminate on Nov. 15, 1989; in subsec. (b) provided for alternative termination dates; in subsec. (c) required reports to Congress; in subsecs. (d) and (e) required certification of compliance and verification of information, respectively; and in subsec. (f) mandated dissolution of corporations established by the Board prior to its termination.

1988—Pub. L. 100–674 amended section generally. Prior to amendment, section read as follows: ''The Board shall terminate on November 16, 1988. Upon termination of the Board, the Board shall take such actions as may be required to provide for the dissolution of any corporation established by the Board under section 806(g) of this title. The Board shall set forth, in its bylaws, the procedures for dissolution to be followed by the Board.''

1985—Pub. L. 99–161 substituted ''on November 16, 1988'' for ''six years after November 16, 1979''.

SAVINGS PROVISION

Pub. L. 109–143, § 1(b)(2), Dec. 22, 2005, 119 Stat. 2659, provided that: ''During the period of October 1, 2004, through the date of the enactment of this section [Dec. 22, 2005], 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.''

Section 5401(c) of div. A of Pub. L. 104–208 provided that: ''During the period of October 1, 1995, through the date of the enactment of this section [Sept. 30, 1996], 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 Congressional Award Board ever occurred.''

Section 2(b) of Pub. L. 101–525 provided that: ''During the period of October 1, 1990, through the date of the enactment of this section [Nov. 6, 1990], 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.''

## SUBCHAPTER II—CONGRESSIONAL RECOGNITION FOR EXCELLENCE IN ARTS EDUCATION

### §§ 811 to 817c. Omitted

CODIFICATION

Sections were omitted pursuant to section 817b of this title which provided that the Congressional Recognition for Excellence in Arts Education Awards Board terminated 6 years after November 22, 2000.

Section 811, Pub. L. 96–114, title II, § 202, as added Pub. L. 106–533, § 1(a), Nov. 22, 2000, 114 Stat. 2545, related to findings of Congress.

Section 812, Pub. L. 96–114, title II, § 203, as added Pub. L. 106–533, § 1(a), Nov. 22, 2000, 114 Stat. 2546, related to definitions of terms in subchapter.

Section 813, Pub. L. 96–114, title II, § 204, as added Pub. L. 106–533, § 1(a), Nov. 22, 2000, 114 Stat. 2546, related to the establishment of the Board.

Section 814, Pub. L. 96–114, title II, § 205, as added Pub. L. 106–533, § 1(a), Nov. 22, 2000, 114 Stat. 2546, related to the duties of the Board.

Section 815, Pub. L. 96–114, title II, § 206, as added Pub. L. 106–533, § 1(a), Nov. 22, 2000, 114 Stat. 2549, related to the composition of the Board and the establishment of an Advisory Board.

Section 816, Pub. L. 96–114, title II, § 207, as added Pub. L. 106–533, § 1(a), Nov. 22, 2000, 114 Stat. 2551, related to the administration of the Congressional Recognition for Excellence in Arts Awards Program.

Section 817, Pub. L. 96–114, title II, § 208, as added Pub. L. 106–533, § 1(a), Nov. 22, 2000, 114 Stat. 2551, related to limitations on Board's authority.

Section 817a, Pub. L. 96–114, title II, § 209, as added Pub. L. 106–533, § 1(a), Nov. 22, 2000, 114 Stat. 2552, related to audits.

Section 817b, Pub. L. 96–114, title II, § 210, as added Pub. L. 106–533, § 1(a), Nov. 22, 2000, 114 Stat. 2552, terminated the Board 6 years after Nov. 22, 2000.

Section 817c, Pub. L. 96–114, title II, § 211, as added Pub. L. 106–533, § 1(a), Nov. 22, 2000, 114 Stat. 2552, related to the Congressional Recognition for Excellence in Arts Education Awards Trust Fund.

## CHAPTER 19A—JOHN HEINZ COMPETITIVE EXCELLENCE AWARD

Sec.
831. John Heinz Competitive Excellence Award.

### § 831. John Heinz Competitive Excellence Award

#### (a) Establishment

There is hereby established the John Heinz Competitive Excellence Award, which shall be evidenced by a national medal bearing the inscription ''John Heinz Competitive Excellence Award''. The medal, to be minted by the United States Mint and provided to the Congress, shall be of such design and bear such additional inscriptions as the Secretary of the Treasury may prescribe, in consultation with the Majority and Minority Leaders of the Senate, the Speaker and the Minority Leader of the House of Representatives, and the family of Senator John Heinz. The medal shall be—

(1) three inches in diameter; and

(2) made of bronze obtained from recycled sources.

#### (b) Award categories

##### (1) In general

Two separate awards may be given under this section in each year. One such award may