

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2865

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IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2010

Referred to the Committee on Education and Labor

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## A BILL

To reauthorize the Congressional Award Act (2 U.S.C. 801  
et seq.), and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Congressional Award  
3 Program Reauthorization Act of 2009”.

4 **SEC. 2. CONGRESSIONAL AWARD PROGRAM.**

5 (a) IMPLEMENTATION AND PRESENTATION.—Section  
6 102 of the Congressional Award Act (2 U.S.C. 802) is  
7 amended—

8 (1) in the matter following subsection (b)(5), by  
9 striking “under paragraph (3)”; and

10 (2) in subsection (c), in the second sentence, by  
11 striking “during” and inserting “in connection  
12 with”.

13 (b) TERMS OF APPOINTMENT AND REAPPOINT-  
14 MENTS.—Section 103 of the Congressional Award Act (2  
15 U.S.C. 803) is amended by striking subsection (b) and in-  
16 serting the following:

17 “(b) TERMS OF APPOINTED MEMBERS; REAPPOINT-  
18 MENT.—

19 “(1) Appointed members of the Board shall  
20 continue to serve at the pleasure of the officer by  
21 whom they are appointed, and (unless reappointed  
22 under paragraph (2)) shall serve for a term of 4  
23 years.

24 “(2)(A) Subject to the limitations in subpara-  
25 graph (B), members of the Board may be re-  
26 appointed, except that no member may serve more

1 than 2 full consecutive terms. Members may be re-  
2 appointed to 2 full consecutive terms after being ap-  
3 pointed to fill a vacancy on the Board.

4 “(B) Members of the Board shall not be subject  
5 to the limitation on reappointment in subparagraph  
6 (A) during their period of service as Chairman of  
7 the Board and may be reappointed to an additional  
8 full term after termination of such Chairmanship.

9 “(3)(A) Notwithstanding paragraph (1) or (2),  
10 the term of each member of the Board shall begin  
11 on October 1 of the even numbered year which  
12 would otherwise apply with one-half of the Board po-  
13 sitions having terms which begin in each even num-  
14 bered year.

15 “(B) Subparagraph (A) shall apply to appoint-  
16 ments made to the Board on or after the date of en-  
17 actment of the Congressional Award Program Reau-  
18 thorization Act of 2009.”.

19 (c) REQUIREMENTS REGARDING FINANCIAL OPER-  
20 ATIONS.—Section 104(c) of the Congressional Award Act  
21 (2 U.S.C. 804(c)) is amended—

22 (1) in paragraph (1), in the third sentence, by  
23 striking “, in any calendar year,” and inserting “in  
24 any fiscal year”; and

1           (2) by striking paragraph (2) and inserting the  
2 following:

3           “(2)(A) The Comptroller General of the United  
4 States shall determine for each fiscal year whether  
5 the Director has substantially complied with para-  
6 graph (1). The findings made by the Comptroller  
7 General under the preceding sentence shall be in-  
8 cluded in the reports submitted under section  
9 107(b).

10           “(B) If the Director fails to substantially com-  
11 ply with paragraph (1), the Board shall instruct the  
12 Director to take such actions as may be necessary  
13 to correct such deficiencies, and shall remove and re-  
14 place the Director if such deficiencies are not  
15 promptly corrected.”.

16           (d) FUNDING AND EXPENDITURES.—Section 106(a)  
17 of the Congressional Award Act (2 U.S.C. 806(a)) is  
18 amended by striking paragraph (1) and inserting the fol-  
19 lowing:

20           “(1) the Board shall carry out its functions and  
21 make expenditures with—

22           “(A) such resources as are available to the  
23 Board from sources other than the Federal  
24 Government; and

1           “(B) funds awarded in any grant program  
2           administered by a Federal agency in accordance  
3           with the law establishing that grant program.”.

4           (e) STATEWIDE CONGRESSIONAL AWARD COUN-  
5           CILS.—Section 106(c) of the Congressional Award Act (2  
6           U.S.C. 806(c)) is amended by striking paragraph (4) and  
7           inserting the following:

8           “(4) Each Statewide Council established under  
9           this section may receive contributions, and use such  
10          contributions for the purposes of the Program. The  
11          Board shall adopt appropriate financial management  
12          methods in order to ensure the proper accounting of  
13          these funds. Each Statewide Council shall comply  
14          with subsections (a), (d), (e), and (h) governing the  
15          Board.”.

16          (f) CONTRACTING AND USE OF FUNDS FOR SCHOL-  
17          ARSHIPS.—Section 106 of the Congressional Award Act  
18          (2 U.S.C. 806) is amended—

19                 (1) in subsection (d), by inserting “to be” after  
20                 “expenditure is”; and

21                 (2) in subsection (e)(1)(A), by inserting “or for  
22                 scholarships” after “local program”.

23          (g) NONPROFIT CORPORATION.—Section 106 of the  
24          Congressional Award Act (2 U.S.C. 806) is amended by  
25          striking subsection (i) and inserting the following:

1       “(i)(1) The Board shall provide for the incorporation  
2 of a nonprofit corporation to be known as the Congres-  
3 sional Award Foundation (together with any subsidiary  
4 nonprofit corporations determined desirable by the Board,  
5 collectively referred to in this title as the ‘Corporation’)  
6 for the sole purpose of assisting the Board to carry out  
7 the Congressional Award Program, and shall delegate to  
8 the Corporation such duties as it considers appropriate,  
9 including the employment of personnel, expenditure of  
10 funds, and the incurrence of financial or other contractual  
11 obligations.

12       “(2) The articles of incorporation of the Congres-  
13 sional Award Foundation shall provide that—

14               “(A) the members of the Board of Directors of  
15 the Foundation shall be the members of the Board,  
16 with up to 24 additional voting members appointed  
17 by the Board, and the Director who shall serve as  
18 a nonvoting member; and

19               “(B) the extent of the authority of the Founda-  
20 tion shall be the same as that of the Board.

21       “(3) No director, officer, or employee of any corpora-  
22 tion established under this subsection may receive com-  
23 pensation, travel expenses, or benefits from both the Cor-  
24 poration and the Board.”.

25       (h) TERMINATION.—

1           (1) IN GENERAL.—Section 108 of the Congres-  
2           sional Award Act (2 U.S.C. 808) is amended by  
3           striking “October 1, 2009” and inserting “October  
4           1, 2013”.

5           (2) EFFECTIVE DATE.—This subsection shall  
6           take effect as of October 1, 2009.

Passed the Senate March 17, 2010.

Attest:

NANCY ERICKSON,

*Secretary.*