



# Federal Register

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Monday,  
May 13, 2002

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Part XX

Corporation for  
National and  
Community Service

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Semiannual Regulatory Agenda

## CORPORATION FOR NATIONAL AND COMMUNITY SERVICE (CNCS)

## CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

45 CFR Chs. XII, XXV

## Executive Order 12866 "Regulatory Planning and Review"

AGENCY: Corporation for National and Community Service.

ACTION: Semiannual regulatory agenda.

**SUMMARY:** This agenda announces the regulations that the Corporation will have under development, revision, or review during the next year. The purpose for publishing this agenda is to give notice of any regulatory activity by

the Agency in order to provide the public an opportunity to participate in the rulemaking process.

**FOR FURTHER INFORMATION CONTACT:** The public is encouraged to contact the agency official listed for the particular agenda item. For other information concerning Corporation regulations or this semiannual agenda, contact Frank R. Trinity, General Counsel, Corporation for National and Community Service, 1201 New York Avenue NW., Washington, DC 20525, (202) 606-5000, ext. 290.

**SUPPLEMENTARY INFORMATION:** In accordance with Executive Order 12866 "Regulatory Planning and Review" and the Regulatory Flexibility Act (5 U.S.C.

601), executive agencies are required to publish in the **Federal Register** semiannual regulatory agendas in April and October of each year.

The Corporation for National and Community Service has determined that the regulations under consideration will not impose compliance costs or reporting burdens on the public and that the regulations will not have a significant economic impact on a substantial number of small entities. Accordingly, no regulatory analysis is required under 5 U.S.C. 602.

Dated: March 14, 2002.

Wendy Zenker,  
Chief Operating Officer.

## Corporation for National and Community Service (CNCS)

Prerule Stage

## 2786. DISCRIMINATION COMPLAINT PROCEDURES FOR SERVICE MEMBERS, PARTICIPANTS, AND OTHER BENEFICIARIES

Priority: Other Significant

**Legal Authority:** 20 USC 1681 to 1687; 29 USC 794; 42 USC 2000d; 42 USC 5057; 42 USC 6101 et seq; 42 USC 12635

CFR Citation: 45 CFR 2504

Legal Deadline: None

**Abstract:** This regulation will identify the procedures used for processing

complaints of discrimination based on race, color, national origin, sex, age, disability, religion, political affiliation, and other non-merit factors filed with the Corporation by service members, participants, and other beneficiaries under the Corporation's federally assisted or conducted programs.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/00/02	

**Regulatory Flexibility Analysis Required:** No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal, Federal

**Agency Contact:** Nancy B. Voss, Director, Equal Opportunity, Corporation for National and Community Service, Room 7100, 1201 New York Avenue NW, Washington, DC 20525  
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RIN: 3045-AA24

## Corporation for National and Community Service (CNCS)

Proposed Rule Stage

## 2787. IMPLEMENTATION OF THE PRIVACY ACT OF 1974; AMENDMENT

Priority: Info./Admin./Other

**Legal Authority:** 5 USC 552a; 42 USC 12501 et seq; 42 USC 4950 et seq

CFR Citation: 45 CFR 2508

Legal Deadline: None

**Abstract:** This action updates several minor changes to the Corporation for National Service's current Privacy Act regulation found at 45 CFR 2508. These amendments are in accordance with the Privacy Act found at 5 U.S.C. 552a.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/02	

**Regulatory Flexibility Analysis Required:** No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3045-AA25

## 2788. SENIOR COMPANION PROGRAM

Priority: Info./Admin./Other

**Legal Authority:** 42 USC 5013; 42 USC 12501 et seq

CFR Citation: 45 CFR 2551

Legal Deadline: None

**Abstract:** The amendments are needed to clarify the intent of the regulations published on March 24, 1999, to modify language that was too restrictive.

**Timetable:**

Action	Date	FR Cite
NPRM	04/17/02	67 FR 18846
Correction	04/25/02	67 FR 20485

## CNCS

## Proposed Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	06/17/02	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal

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**RIN:** 3045-AA29

**2789. FOSTER GRANDPARENT PROGRAM****Priority:** Info./Admin./Other**Legal Authority:** 42 USC 5011; 42 USC 12501 et seq**CFR Citation:** 45 CFR 2552**Legal Deadline:** None

**Abstract:** The amendments are needed to clarify the intent of the regulations published on March 24, 1999, to modify language that was too restrictive.

**Timetable:**

Action	Date	FR Cite
NPRM	04/17/02	67 FR 18847
NPRM Comment Period End	06/17/02	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal

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**RIN:** 3045-AA30

**2790. • AMERICORPS GRANT REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 12501 et seq**CFR Citation:** 45 CFR 2520; 45 CFR 2521; 45 CFR 2522; 45 CFR 2524; 45 CFR 2525; 45 CFR 2526; 45 CFR 2528; 45 CFR 2550**Legal Deadline:** None

**Abstract:** The proposed rule will amend the Corporation's AmeriCorps Grant Regulations by: Providing flexibility in the types of AmeriCorps member activities authorized in connection with disaster relief, homeland defense, or other compelling community needs; explicitly recognizes that religious organizations are eligible to receive AmeriCorps grants; eliminates the "six month rule" as a requirement for grantees; expands the types of educational expenses that may be paid with the education award; modifies the education award refund rules in the event a member does not complete a period of enrollment at an institution of higher education; provides that an AmeriCorps member's declaration under penalty of law may constitute sufficient documentation of that individual's attainment of a high

school degree for purposes of enrolling as an AmeriCorps member and using the education award; modifies and strengthens the requirements relating to prohibited activities and clarifies that these requirements apply only to AmeriCorps programs funded under subtitle C of the National and Community Service Act; eliminates obsolete references to Palau; amends the regulations in conformance with the National and Community Service Act of 1990, as amended, to recognize that a territory that establishes a State commission is eligible to apply for administrative grant funds to support the activities of the State commission; and amends the definition of "Institution of Higher Education" to conform with the Higher Education Amendments of 1998.

**Timetable:**

Action	Date	FR Cite
NPRM	03/26/02	67 FR 13738
NPRM Comment Period End	05/28/02	
Final Action	09/00/02	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Local, Tribal

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**RIN:** 3045-AA32

## Corporation for National and Community Service (CNCS)

## Final Rule Stage

**2791. NONDISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, HANDICAP, AND AGE IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 794; 42 USC 2000d to 2000d-7; 42 USC 6101 to 6107; EO 12250**CFR Citation:** 45 CFR 1203; 45 CFR 1232**Legal Deadline:** None

**Abstract:** The Corporation proposes to make amendments to its regulations implementing title VI of the Civil Rights Act of 1964 (title VI) and section 504 of the Rehabilitation Act of 1972 (section 504). Together, these statutes prohibit discrimination on the basis of race, color, national origin, and

disability in programs and activities that receive Federal financial assistance. In 1988, the Civil Rights Restoration Act (CRRRA) added definitions of "program or activity" and "program" to title VI and added a definition of "program or activity" to section 504. The added definitions were designed to clarify the broad scope of coverage of recipients' programs or activities under these statutes. The promulgation of this

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## Final Rule Stage

proposed regulation explicitly incorporates the CRAA's definition of "program or activity" and "program" into the Corporation's title VI and section 504 regulations. The Corporation's proposed regulation will be published as part of a joint notice of proposed rulemaking involving up to 24 Federal agencies.

**Timetable:**

Action	Date	FR Cite
NPRM	12/06/00	65 FR 76460

Action	Date	FR Cite
NPRM Comment Period End	01/05/01	
Final Action	07/00/02	
Final Action Effective	08/00/02	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** The RIN 3045-AA29, published in the Federal Register at 65 FR 76460 and 76512,

dated December 6, 2000, was incorrect and should have been 3045-AA27.

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**RIN:** 3045-AA27

## Corporation for National and Community Service (CNCS)

## Long-Term Actions

**2792. CLAIMS COLLECTION****Priority:** Substantive, Nonsignificant**CFR Citation:** 45 CFR 2506**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/28/99	64 FR 4315
Interim Final Rule Comment Period End	03/29/99	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** State, Local, Tribal

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**RIN:** 3045-AA20**2793. AMERICORPS AND LEARN & SERVE GRANT REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 45 CFR 2510; 45 CFR 2513; 45 CFR 2515 to 2524; 45 CFR 2530 to 2533; 45 CFR 2540; 45 CFR 2550**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Local, Tribal

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**RIN:** 3045-AA23**2794. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)****Priority:** Substantive, Nonsignificant**CFR Citation:** 45 CFR 2542; 45 CFR 2545**Timetable:**

Action	Date	FR Cite
NPRM	01/23/02	67 FR 3266
NPRM Comment Period End	03/25/02	
Next Action	Undetermined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 3045-AA28

## Corporation for National and Community Service (CNCS)

## Completed Actions

**2795. RETIRED AND SENIOR VOLUNTEER PROGRAM****Priority:** Info./Admin./Other**CFR Citation:** 45 CFR 2553**Completed:**

Reason	Date	FR Cite
NPRM	11/13/01	66 FR 56793
Final Action	02/14/02	67 FR 6875

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Local, Tribal

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**RIN:** 3045-AA31

[FR Doc. 02-7668 Filed 05-10-02; 8:45 am]

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