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Grant/Grossman
November 15, 1990
7:00 p.m.
A:BILLSIGN

**BRIEF REMARKS: ENVIRONMENTAL BILLS SIGNING CEREMONY
THE SOUTH LAWN
NOVEMBER 16, 1990
10:15 A.M.**

Good morning. It's a pleasure to see Secretary Lujan here today; as well as EPA Administrator Bill Reilly; Mike DeLand of the Council on Environmental Quality; and John Knauff, the head of the National Oceanics and Atmospherics Administration.

Welcome to the White House. I am standing today before Lady Bird Johnson's tree -- a willow oak, I'm told -- planted in 1964. Lady Bird once said she wants to be remembered as one who planted trees. And when I look out the Oval Office window at this magnificent oak on beautiful fall days such as this, I understand Lady Bird and her advice to "know and enjoy the world around you."

Yesterday, I signed into law the centerpiece of our agenda for the environment -- the Clean Air Act of 1990, which made our air pollution laws, **already the world's toughest, even tougher.** This year's Clean Air Act is **the most significant air pollution legislation in American history** -- and it restores America's place as the global leader in environmental protection. *R* But our agenda for the environment is broad and ambitious, one that encompasses not just **clean air** -- but **clean beaches**, green forests and meadows alive with wildlife, majestic rivers and lakes teeming with fish -- because I believe America's wilderness

is precious and all of us must work together to preserve America's natural beauty.

The bills I'm signing this morning will protect some of the most precious expanses of America -- the Mojave Desert, the Great Lakes and Lake Champlain, and on the coasts, our precious barrier islands. There's even a bill to safeguard the wilderness of the Antarctic.

In addition, one of these bills ensures that the U.S. will remain a leader in global change research; another creates the National Forest Foundation and establishes two new wildlife refuges. There's one bill that I proposed a long time ago -- establishing the waters off the Florida Keys as America's ninth national marine sanctuary. And finally, we're taking a significant step toward improving America's environmental literacy by giving teachers the tools they need to teach our kids about the importance of conservation.

Early in this century, the original "environmental President," Theodore Roosevelt, thought it imperative that children be taught to read and enjoy what he called the "wonder-book of nature," for our environment belongs not only to the present generation, but to the next generation as well.

You're never too young or too old to learn about the wonders of Nature. Those of us "long in the tooth" never tire of that sense of peace one feels in the outdoors. And we love to see amazement in the eyes of children when they first catch sight of a cascading waterfall, a bottomless canyon out West, or even a

real, live, dangerous animal ((-- like that dangerous Thanksgiving **turkey** we had here the other day.))

Lady Bird once said that she wanted to work with native plants, wildflowers and trees, and encourage their use in the nation's landscape so they won't just be something of the past - - but will be passed on to our **grandchildren.**"

Our environmental agenda is forward-looking -- to the next generation, to the future of America. And so it is with them in mind -- those who will follow us -- that I am delighted to sign these eight bills into law.

#

Grant/Grossman
November 14, 1990
8:00 p.m.
A:BILLSIGN

BRIEF REMARKS: ENVIRONMENTAL BILLS SIGNING CEREMONY
THE SOUTH LAWN
NOVEMBER 16, 1990
10:15 A.M.

((Acknowledgements))

Welcome to the White House. I am standing today before Lady Bird Johnson's tree -- a willow oak, I'm told -- planted in 1964. Lady Bird ^{once said} ~~says~~ she wants to be remembered as one who planted trees. And when I look out the Oval Office window at this magnificent oak on beautiful fall days such as this, I understand ^{and her} Lady Bird's advice to "know and enjoy the world around you."

Yesterday I signed into law the centerpiece of our agenda for the environment -- the Clean Air Act of 1990, which ^{made} strengthened our air pollution laws, **already the world's toughest,** ^{even tougher.} This year's Clean Air Act is the most significant air pollution legislation in American history -- and it restores America's place as the global leader in environmental protection.

^{But,} our agenda for the environment is broad and ambitious, one that encompasses not just clean air -- but clean ~~untouched~~ **beaches**, green forests and meadows alive with wildlife, majestic rivers and lakes teeming with fish -- because I believe America's wilderness is ~~too~~ ^{and all of us must work together to} precious ~~for us to destroy it, // America's~~ ^{preserve America's natural beauty.} ~~future too bright for us to cloud it.~~

These ~~3~~ bills I'm signing this morning will protect some of the most precious expanses of America, areas from Alaska to the

Antarctic, from the Florida Keys to (())'s Red Rock Canyon.

((Insert Grady))

Early in this century, the original "environmental President," Theodore Roosevelt, thought it imperative that children be taught to read and enjoy what he called the "wonder-book of nature," for our environment belongs not only to the present generation, but to the next generation as well.

You're never too young or too old to learn about the wonders of Nature. Those of us "long in the tooth" ~~like myself~~ ^{place} never tire of that sense of the ~~sublime~~ one feels in the outdoors. And we love to see amazement in the eyes of ~~young grandchildren~~ when they first catch sight of a cascading waterfall, a bottomless canyon out West, or even a real, live, dangerous animal ((-- like ~~we did when~~ that dangerous Thanksgiving ~~turkey~~ ^{we had 4 or 5 the day,} was here.))

~~Out of deference to the former First Lady, I will not say~~
how ~~many years ago, but~~ Lady Bird once said, ^{that she wanted to} "When I got to be 70" ~~I thought, I'm going to take time to do what I really yearn to~~
~~do, and that is~~ work with native plants, wildflowers and trees,
and encourage their use in the nation's landscape so they won't
just be something of the past -- but will be passed on to our
grandchildren."

Our environmental agenda is forward-looking -- to the next
generation, to the future of America. ^{so} And ^{with them in mind} it is ~~in that spirit~~
~~-- in the spirit of~~ those who will follow us -- that I am
delighted to sign these ((number)) bills into law.

#

(Smith/Garmey)
November 13, 1990
4 P.M.
SERVICE

PRESIDENTIAL REMARKS: COMMUNITY & SERVICE ACT
ROSE GARDEN
FRIDAY, NOVEMBER 16, 1990
10 A.M.

Secretaries Dole, Lujan, and Yeutter. Senators Hatch, Kennedy, Mikulski, and Pell. Congressmen Goodling and Hawkins. It is a delight to welcome you to the White House, and to an event which asks us to join hands, and link hearts, to light the American sky. //

That event is today's signing of the National and Community Service Act of 1990 -- a landmark bill reminding us that from now on in America, **the definition of a successful life must include serving others.** // It seeks to aid those millions of Americans who give of their time, and of themselves. Anywhere there is a need. Anytime they are needed. //

((Let me say that it's good to have all of you assembled here. I've learned that one way to make my grandkids scatter ~~in all directions~~ in a hurry is to say the words "any volunteers?"

((Yet this is a great day for volunteers. Even though I had to break it to Senator Gore this morning that it has nothing to do with the Tennessee football team. // **For this is the day the thousand points of light switches to high voltage.**)) //

From the beginning, our Administration has sought to help volunteers make a difference to those for whom the American Dream has been an Impossible Dream. We call their involvement

national, or community, service. // They show what I mean by a thousand points of light -- that vast galaxy of voluntary associations and institutions working together to combat problems in their own back yard. //

Emerson said of such volunteers, "The greatest gift is a portion of thyself." De Tocqueville called them "America's little platoons" -- groups and individuals, showing that we are not defined by where we live, what we drive, or what kind of clothes we wear. // They knew that America's greatness rests on the goodness of her people. / And would rejoice -- as we should, too -- that today there is **no problem in America that is not being solved somewhere.** //

The National Community and Service Act of 1990 will identify programs that are working, and expand them across America. And I want to thank those who made it reality -- a non- and bi-partisan honor roll. // This Act will expand the ranks of America's crusade to help drop-outs and pregnant teens. The hungry and the homeless, ^{or those with disabilities.} It will issue a call to action that is individual and collective. Summoning the young, and old, to become catalysts of caring. //

((Let me tell a story which captures this concern. One day, a man stepped aboard a train. As he did, a shoe slipped off and landed on the track. Unable to retrieve it as the train was moving, the man calmly took off his other shoe and threw it back along the track in the direction of the first. / His fellow passengers were amazed. Smiling, Mahatma Gandhi explained his

action: "The poor man who finds the shoe lying on the track will now have a pair he can use.))) //

That's the what of the Community and Service Act. / Here's the how. // This legislation creates a Commission on National Service to administer **new** grant programs from youth corps and out-of-school youth to **proven** programs like foster grandparents and the Peace Corps. / What's more, it provides Congressional endorsement and funding for The Points of Light Foundation, of which I am pleased to serve as Honorary Chairman. // By calling on every business, union, school, place of worship, club, group and organization to claim society's problems as their own, our Foundation will help **both** sectors -- private **and** public -- and **all** branches and levels of government -- **extend public service into every corner of America.** //

Already, almost half of all adult Americans -- 80 million - - actively volunteer in some way in their community. The National Community and Service Act can swell those figures, and expand last year's almost \$150 billion worth in man and woman volunteer hours. It will help us reject the **Me** Generation in favor of the **We** Generation. Building a movement -- bold, and unprecedented -- that erects a cathedral of the spirit. //

As Americans, we measure life not by the sum of our possessions -- but how we treat our neighbor. In the soup kitchen, day-care center, and corner church. Helping those free-falling through society. // As a tutor combating illiteracy --

Student

4

or ~~teen~~ visiting nursing homes. Proving that volunteerism is one of the highest planes of patriotism. //

So let us use "one on one" caring to solve problems. For **prosperity** without **purpose** means **nothing**. / And let me close with a story of how my wife Barbara met last year with a group helping young Cambodians learn English. // While she was there, an older lady told Barbara how lonely she had been before she volunteered. Her eyes filled with tears at remembering it. Then her face lit up as she told Barbara, "I've never been lonely a day since." //

More than two hundred years ago, Alexander Hamilton sent a letter urging General Washington to seek the Presidency. He wrote him, "The point of light in which you stand . . . will make an infinite difference." //

National service **can** make an infinite difference. Aided by legislation which can light the lives of a people, and a Nation. Thank you for what you've done, and will do in the future. And now, it is my great privilege to sign the National Community and Service Act of 1990.

#

SUMMARY OF NATIONAL AND COMMUNITY SERVICE ACT OF 1990
CONFERENCE AGREEMENT

Federal Administration

All new grant programs will be administered by a Commission on National Service, which shall have the authority to delegate administrative duties to appropriate agencies.

New Grant Programs

New grant programs are included in a modified block grant. States may submit a single application for any or all of the program options covered by the block grant. The program options include:

1.A. K-12 school-aged programs, adult volunteer and partnership programs and community-based programs for dropouts, out-of-school youth and other youth (combination of Senate Serve-America program, House Schools and Service Learning Act, and House Model Service Programs for Dropouts)

B. Grants to higher education institutions for student community service (based on House Innovative Projects for Community Service)

2. Youth Corps programs (based on Senate American Conservation and Youth Service Corps Act and House Title II programs)

3. National and Community Service Act (based on Subtitle D of Title I of Senate bill)

4. Innovative and Demonstration Programs and Projects (based on Senate Subtitle E of Title I, House Programs for Rural Youth, Foster Grandparents, and the Peace Corps)

Clearinghouses

Requires funding of not more than four regional clearinghouses (based on House and Senate clearinghouse provisions)

Modification of Existing Programs

A second title of the bill includes a modification of the Student Literacy Corps Program (based on the House Literacy Corps and House Tutorial Corps provisions), an amendment to the Domestic Volunteer Service Act authorizing funding of a Youthbuild program (based on House Youthbuild proposal), and a requirement for publication of existing student loan deferral and forgiveness provisions (in both House and Senate bills).

Points of Light Initiative Foundation

Includes an authorization for the Points of Light Initiative Foundation as in the Senate bill.

Good Samaritan Food Donation Act

Includes a Sense of the Congress that states should limit liability for donors of food (same in both bills)

Exchange Program

Authorizes the United States Information Agency to conduct an exchange program with nations in transition from totalitarianism to democracy.

Authorization of Appropriations

	FY1991	FY1992	FY1993
Title I	\$56 m	\$95.5 m	\$105 m
Divided 30% for school-aged and college programs 30% for conservation and youth service corps 30% for full- and part-time national and community service \$2 million for the National Service Commission			
Title III (Points of Light Foundation)	\$5 m	\$7.5 m	\$10 m
Title II (Youthbuild)	\$1 m	\$2 m	\$5 m
Total:	\$62 m	\$105 m	\$120 m

COMPARISON OF S. 1430, THE NATIONAL AND COMMUNITY SERVICE ACT AND
H.R. 4330, THE NATIONAL SERVICE ACT

Overall administrative structure

Both bills authorize a range of service programs.

o The Senate bill establishes a National Service Commission to oversee and coordinate administration of the major grant programs. The Commission will delegate day to day administration to existing agencies. The House bill has no coordinating body and administers all programs through existing agencies.

Resolution: House recedes with amendment including heads of various federal agencies as ex officio members of the Commission's board.

o The Senate bill enables states to submit a single application for funding under all or any of the major grant programs. The House bill requires separate applications.

Resolution: House recedes.

K-12 programs

Both bills provide funds for part-time, unstipended student community service programs. Funding flows from the federal level to state education agencies, which make grants to local partnerships. All programs must include a learning component, supervision and training, and meaningful service opportunities. Priority is given to programs that involve participants in the design of the program, that are in greatest need of assistance, and that involve diverse participants.

o In the Senate bill, local partnerships include one education institution broadly defined to include community-based organizations working with youth (especially dropouts) and one community partner through which services will be provided. House bill local partnerships include one local educational agency and one community partner. (Note: House bill authorizes a separate program that will fund model programs for dropouts.)

Resolution: School-based program partnerships include at least one local educational agency partner and at least one community agency where services will be delivered. Community-based programs include at least one community agency that works with youth and at least one community agency where services will be delivered.

o Senate bill allows up to ten percent of funds for programs through which adults volunteer in schools. House bill has no comparable provision, although priority is given to student service programs that involve older adults as mentors.

Resolution: House recedes.

o Senate bill distributes funds on a competitive basis to states. House bill distributes funds based on a formula.

Resolution: Senate recedes with an amendment providing that funds will be distributed on a competitive basis if less than \$20 million is available for this program.

Higher education programs

Both bills authorize a grant program for student community service at the college level. Both authorize a range of student loan forgiveness and deferral provisions for individuals who perform certain types of full-time service. Both bills increase the incentives in the State Student Incentive Grant and College Work Study Programs to use funds for service programs.

Resolution: All modifications of student financial aid programs except for provisions requiring publication of existing loan forgiveness and deferral are dropped in final bill. The grant program is retained.

o House bill also expands the Student Literacy Corps program to include a focus on students tutoring single parents of Chapter 1-eligible children. House bill also includes a new Student Tutorial Corps program to engage college students in tutoring educationally disadvantaged students in Chapter 1 schools.

Resolution: Senate recedes with an amendment combining the Student Tutorial Corps with Student Literacy Corps.

o House bill also includes new program authorizing the Director of the Peace Corps to provide educational benefits to students who agree to serve in the Peace Corps.

Resolution: Senate recedes with an amendment allowing the Director of VISTA to set up a similar program and incorporating both provisions into the block grant.

Youth Corps programs

Both bills authorize grants to states and federal agencies for youth conservation corps and youth service corps programs. Both bills include extensive lists of optional service projects that may be undertaken. Both provide inservice training and education services, including GED. Both bills make youth aged 16 to 25 eligible to participate, regardless of income. However, both bills require special efforts to recruit disadvantaged youth. Both bills require full-time service by participants and provide subsistence-level stipends for living expenses.

o Senate bill consolidates conservation and service corps programs into a single program administered by the Commission on National Service. House bill authorizes separate conservation corps program to be administered jointly by the Departments of Agriculture and Interior and separate youth service corps program to be administered by the Action agency.

Resolution: House recedes.

o Senate bill allows public or private nonprofit agencies to apply for funds if the state does not apply. House bill allows local government to apply directly to federal agency for funds if state does not apply.

Resolution: House recedes.

o Senate bill provides post-service education benefit worth \$5,000 per year of service. House bill provides post-service education and training benefit of indeterminate value.

Resolution: House recedes.

o House bill allows up to 1 percent of funds for joint programs with organized senior citizens programs and allows a limited number of older enrollees who can offer special skills. Senate bill includes no similar provisions.

Resolution: Senate recesses with amendment increasing percentage to 2 percent.

Clearinghouses

Both bills authorize funds for clearinghouses on service and model programs. Both bills authorize Presidential awards for service. Both bills authorize funds for curriculum development.

o House bill also authorizes a President's Service Learning Task Force

Resolution: House recesses with amendment incorporating the Task Force into school partnerships section of final agreement.

Authorizations included in the Senate bill but not the House bill

o Points of Light Initiative Foundation.

Resolution: House recesses.

o National Service full- and part-time program that provide education and housing vouchers to individuals who serve the requisite number of hours/year.

Resolution: House recesses.

o Innovative Service Program providing grants to states for programs of their own design.

Resolution: House recesses.

Authorizations included in the House bill but not the Senate bill

o Youthbuild.

Resolution: Senate recesses.

o Model programs for dropouts and out-of-school youth (see K-12, above).

Resolution: House recesses.

o Rural youth demonstration project.

Resolution: Senate recesses with an amendment incorporating the program into the block grant.

o Governors Voluntary Service Program (similar to Innovative Service Program, above)

Resolution: House recesses.

o Program for Foster Grandparents to volunteer in Head Start programs

Resolution: Senate recesses with an amendment incorporating the program into the block grant and allowing funds to be used for retiree service programs.

**SENATE
FILING COPY**

101ST CONGRESS

HOUSE OF REPRESENTATIVES
SENATE

REPORT

2d Session

101-____

NATIONAL AND COMMUNITY SERVICE ACT OF 1990

OCTOBER __, 1990.—Ordered to be printed

Mr. _____, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany S. 1430] -

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1430), to enhance national and community service, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

1 SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the “Na-
3 tional and Community Service Act of 1990”.

4 (b) TABLE OF CONTENTS.—The table of contents is as
5 follows:

Sec. 1. Short title and table of contents.

Sec. 2. Purposes.

TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT
PROGRAM

Subtitle A—General Provisions

Sec. 101. Definitions.

Sec. 102. Authority to make State grants.

Subtitle B—School-Aged Service

PART I—GENERAL PROGRAM

Sec. 110. Short title.

Sec. 111. General authority.

Sec. 112. Allotments.

Sec. 113. State application.

Sec. 114. Local applications.

Sec. 115. Priority; private school participation.

Sec. 116. Federal and local contributions.

Sec. 117. Uses of funds; limitations.

PART II—HIGHER EDUCATION INNOVATIVE PROJECTS FOR COMMUNITY SERVICE

Sec. 118. Higher education innovative projects for community service.

Subtitle C—American Conservation and Youth Corps

Sec. 120. Short title.

Sec. 121. General authority.

Sec. 122. Allocation of funds.

Sec. 123. State application.

Sec. 124. Focus of programs.

Sec. 125. Related programs.

Sec. 126. Public lands or Indian lands.

Sec. 127. Training and education services.

Sec. 128. Amount of award; matching requirement.

Sec. 129. Preference for certain projects.

Sec. 130. Age and citizenship criteria for enrollment.

Sec. 131. Use of volunteers.

Sec. 132. Post-service benefits.

Sec. 133. Living allowance.

Sec. 134. Joint programs.

Sec. 135. Federal and State employee status.

Sec. 136. Regulations and assistance.

Subtitle D—National and Community Service

- Sec. 140. Short title.
- Sec. 141. General authority.
- Sec. 142. Grants.
- Sec. 143. Types of national service.
- Sec. 144. Terms of service.
- Sec. 145. Eligibility.
- Sec. 146. Post-service benefits.
- Sec. 147. Living allowance.
- Sec. 148. Training.
- Sec. 149. Public-private partnership.
- Sec. 150. In-service education benefits.

Subtitle E—Innovative and Demonstration Programs and Projects

PART I—LIMITATION ON GRANTS

- Sec. 155. Limitation on grants.

PART II—GOVERNORS' INNOVATIVE SERVICE PROGRAMS

- Sec. 156. General authority.
- Sec. 157. Grants.

PART III—PEACE CORPS

- Sec. 160. Program authorized.
- Sec. 161. Eligibility and selection procedures.
- Sec. 162. Training program.
- Sec. 163. Educational benefits.
- Sec. 164. Evaluation and report.

PART IV—OTHER VOLUNTEER PROGRAMS

- Sec. 165. Rural youth service demonstration project.
- Sec. 166. Assistance for Head Start.
- Sec. 167. Employer-based retiree volunteer programs.

Subtitle F—Administrative Provisions

- Sec. 171. Limitation on number of grants.
- Sec. 172. Reports.
- Sec. 173. Supplementation.
- Sec. 174. Prohibition on use of funds.
- Sec. 175. Nondiscrimination.
- Sec. 176. Notice, hearing, and grievance procedures.
- Sec. 177. Nonduplication and nondisplacement.
- Sec. 178. State advisory board.
- Sec. 179. Evaluation.
- Sec. 180. Engagement of participants.
- Sec. 181. National Service Demonstration Program amendments.
- Sec. 182. Partnerships with schools.
- Sec. 183. Service as tutors.
- Sec. 184. Drug-free workplace requirements.
- Sec. 185. Conforming amendments.

Subtitle G—Commission on National and Community Service

Sec. 190. Commission on National and Community Service.

TITLE II—MODIFICATIONS OF EXISTING PROGRAMS

Subtitle A—Publication

- Sec. 201. Information for students.
- Sec. 202. Exit counseling for borrowers.
- Sec. 203. Department information on deferments and cancellations.
- Sec. 204. Data on deferments and cancellations.

Subtitle B—Youthbuild Projects

- Sec. 211. Youthbuild projects.

Subtitle C—Amendments to Student Literacy Corps

- Sec. 221. Amendments to Student Literacy Corps.

TITLE III—POINTS OF LIGHT FOUNDATION

- Sec. 301. Short title.
- Sec. 302. Findings and purposes.
- Sec. 303. Authority.
- Sec. 304. Grants to the Foundation.
- Sec. 305. Eligibility of the Foundation for grants.

TITLE IV—FOOD DONATIONS

- Sec. 401. Sense of Congress concerning enactment of Good Samaritan Food Donation Act.
- Sec. 402. Model Good Samaritan Food Donation Act.
- Sec. 403. Effect of section 402.

TITLE V—AUTHORIZATION OF APPROPRIATIONS

- Sec. 501. Authorization of appropriations.

TITLE VI—MISCELLANEOUS PROVISIONS

- Sec. 601. Amtrak waste disposal.
- Sec. 602. Exchange programs with countries in transition from totalitarianism to democracy.

1 SEC. 2. PURPOSES.

2 It is the purpose of this Act to—

3 (1) renew the ethic of civic responsibility in the
4 United States;

5 (2) ask citizens of the United States, regardless
6 of age or income, to engage in full-time or part-time
7 service to the Nation;

1 (3) begin to call young people to serve in pro-
2 grams that will benefit the Nation and improve the
3 life chances of the young through the acquisition of
4 literacy and job skills;

5 (4) enable young Americans to make a sus-
6 tained commitment to service by removing barriers
7 to service that have been created by high education
8 costs, loan indebtedness, and the cost of housing;

9 (5) build on the existing organizational frame-
10 work of Federal, State, and local programs and agen-
11 cies to expand full-time and part-time service oppor-
12 tunities for all citizens, particularly youth and older
13 Americans;

14 (6) involve participants in activities that would
15 not otherwise be performed by employed workers;
16 and

17 (7) generate additional service hours each year
18 to help meet human, educational, environmental, and
19 public safety needs, particularly those needs relating
20 to poverty.

1 **TITLE I—NATIONAL AND COMMUNI-**
2 **TY SERVICE STATE GRANT PRO-**
3 **GRAM**

4 **Subtitle A—General Provisions**

5 **SEC. 101. DEFINITIONS.**

6 As used in this title:

7 (1) **ADULT VOLUNTEER.**—The term “adult volun-
8 teer” means—

9 (A) an individual who is beyond the age of
10 compulsory schooling, including an older Amer-
11 ican, an individual with a disability, and a
12 parent;

13 (B) an employee of a private business;

14 (C) an employee of a public or nonprofit
15 agency; or

16 (D) any other individual working without
17 financial remuneration in an education institu-
18 tion to assist students or out-of-school youth.

19 (2) **COMMISSION.**—The term “Commission”
20 means the Commission on National and Community
21 Service established under section 190.

22 (3) **COMMUNITY-BASED AGENCY.**—The term
23 “community-based agency” means a private non-
24 profit organization that is representative of a commu-
25 nity or a significant segment of a community and

1 that is engaged in meeting human, educational, or
2 environmental community needs, including churches
3 and other religious entities and community action
4 agencies.

5 (4) CREW SUPERVISOR.—The term “crew super-
6 visor” means the adult staff individual who is re-
7 sponsible for supervising a crew of participants, in-
8 cluding the crew leader.

9 (5) ECONOMICALLY DISADVANTAGED.—The term
10 “economically disadvantaged” with respect to
11 youths has the same meaning given such term in
12 section 4(8) of the Job Training Partnership Act (29
13 U.S.C. 1503(8)).

14 (6) ELEMENTARY SCHOOL.—The term “elementa-
15 ry school” has the same meaning given such term in
16 section 1471(8) of the Elementary and Secondary
17 Education Act of 1965 (20 U.S.C. 2891(8)).

18 (7) INDIAN LANDS.—The term “Indian lands”
19 means any real property owned by an Indian tribe,
20 any real property held in trust by the United States
21 for Indian tribes, and any real property held by
22 Indian tribes that is subject to restrictions on alien-
23 ation imposed by the United States.

24 (8) INDIAN TRIBE.—The term “Indian tribe”
25 means an Indian tribe, band, nation, or other orga-

1 nized group or community, including any Alaska
2 Native village or regional or village corporation as
3 defined in or established pursuant to the Alaska
4 Native Claims Settlement Act (43 U.S.C. 1601 et
5 seq.) that is recognized as eligible for the special
6 programs and services provided by the United States
7 to Indians because of their status as Indians.

8 (9) INSTITUTION OF HIGHER EDUCATION.—The
9 term “institution of higher education” has the same
10 meaning given such term in section 1201(a) of the
11 Higher Education Act of 1965 (20 U.S.C. 1141(a)).

12 (10) LOCAL EDUCATIONAL AGENCY.—The term
13 “local educational agency” has the same meaning
14 given such term in section 1471(12) of the Elemen-
15 tary and Secondary Education Act of 1965 (20
16 U.S.C. 2891(12)).

17 (11) LOCAL GOVERNMENT AGENCY.—The term
18 “local government agency” means a public agency
19 that is engaged in meeting human, social, education-
20 al, or environmental needs.

21 (12) OUT-OF-SCHOOL YOUTH.—The term “out-
22 of-school youth” means an individual who—

23 (A) has not attained the age of 27;

24 (B) has not completed college or the equiv-
25 alent thereof; and

1 (C) is not enrolled in an elementary or sec-
2 ondary school or institution of higher education.

3 (13) PARTICIPANT.—The term “participant”
4 means an individual enrolled in a program that re-
5 ceives assistance under this title.

6 (14) PARTNERSHIP PROGRAM.—The term “part-
7 nership program” means a program through which
8 adult volunteers, public or private agencies, institu-
9 tions of higher education, or businesses assist a local
10 educational agency.

11 (15) PLACEMENT.—The term “placement”
12 means the matching of a participant with a specific
13 project.

14 (16) PROGRAM.—The term “program” means
15 an activity carried out with assistance provided under
16 this title.

17 (17) PROGRAM AGENCY.—The term “program
18 agency” means—

19 (A) a Federal or State agency designated to
20 manage a youth corps program;

21 (B) the governing body of an Indian tribe
22 that administers a youth corps program; or

23 (C) a local applicant administering a youth
24 corps program.

1 (18) PROJECT.—The term “project” means an
2 activity that results in a specific identifiable service
3 or product that otherwise would not be done with ex-
4 isting funds, and that does not duplicate the routine
5 services or functions of the employer to whom par-
6 ticipants are assigned.

7 (19) PUBLIC LANDS.—The term “public lands”
8 means any lands or waters (or interest therein)
9 owned or administered by the United States or by an
10 agency or instrumentality of a State or local govern-
11 ment.

12 (20) SECONDARY SCHOOL.—The term “second-
13 ary school” has the same meaning given such term
14 in section 1471(21) of the Elementary and Secondary
15 Education Act of 1965 (20 U.S.C. 2891(21)).

16 (21) SERVICE-LEARNING.—The term “service-
17 learning” means a method—

18 (A) under which students learn and develop
19 through active participation in thoughtfully or-
20 ganized service experiences that meet actual
21 community needs and that are coordinated in
22 collaboration with the school and community;

23 (B) that is integrated into the students’ aca-
24 demic curriculum or provides structured time
25 for a student to think, talk, or write about what

1 the student did and saw during the actual serv-
2 ice activity;

3 (C) that provides students with opportuni-
4 ties to use newly acquired skills and knowledge
5 in real-life situations in their own communities;
6 and

7 (D) that enhances what is taught in school
8 by extending student learning beyond the class-
9 room and into the community and helps to
10 foster the development of a sense of caring for
11 others.

12 (22) SERVICE OPPORTUNITY.—The term “service
13 opportunity” means a program or project, including
14 service learning programs or projects, that enables
15 students or out-of-school youth to perform meaning-
16 ful and constructive service in agencies, institutions,
17 and situations where the application of human talent
18 and dedication may help to meet human, educational,
19 linguistic, and environmental community needs, es-
20 pecially those relating to poverty.

21 (23) SPECIAL SENIOR SERVICE MEMBER.—The
22 term “special senior service member” means an in-
23 dividual who is age 60 or over and willing to work
24 full-time or part-time in conjunction with a full-time
25 national service program.

1 (24) SPONSORING ORGANIZATION.—The term
2 “sponsoring organization” means an organization,
3 eligible to receive assistance under this title, that has
4 been selected to provide a placement for a partici-
5 pant.

6 (25) STATE.—The term “State” means each of
7 the several States, the District of Columbia, the
8 Commonwealth of Puerto Rico, the Virgin Islands,
9 Guam, American Samoa, the Commonwealth of the
10 Northern Mariana Islands, and Palau, until such time
11 as the Compact of Free Association is ratified.

12 (26) STATE EDUCATIONAL AGENCY.—The term
13 “State educational agency” has the same meaning
14 given such term in section 1471(23) of the Elemen-
15 tary and Secondary Education Act of 1965 (20
16 U.S.C. 2891(23)).

17 (27) STUDENT.—The term “student” means an
18 individual who is enrolled in an elementary or sec-
19 ondary school or institution of higher education on a
20 full- or part-time basis.

21 (28) SUMMER PROGRAM.—The term “summer
22 program” means a youth corps program authorized
23 under this title that is limited to the months of June,
24 July, and August.

1 (29) YOUTH CORPS PROGRAM.—The term “youth
2 corps program” means a program, such as a conser-
3 vation corps or youth service program, that offers
4 full-time, productive work (to be financed through
5 stipends) with visible community benefits in a natu-
6 ral resource or human service setting and that gives
7 participants a mix of work experience, basic and life
8 skills, education, training, and support services.

9 **SEC. 102. AUTHORITY TO MAKE STATE GRANTS.**

10 The Commission may, in accordance with the provi-
11 sions of this title, make grants to States, or to local appli-
12 cants, to enable such States or applicants to carry out na-
13 tional or community service programs under subtitles B, C,
14 D, or E.

15 **Subtitle B—School-Aged Service**

16 **PART I—GENERAL PROGRAM**

17 **SEC. 110. SHORT TITLE.**

18 This subtitle may be cited as the “Serve-America:
19 The Community Service, Schools and Service-Learning
20 Act of 1990”.

21 **SEC. 111. GENERAL AUTHORITY.**

22 (a) **IN GENERAL**.—The Commission, in consultation
23 with the Secretary of Education, may make grants under
24 section 102 to States or local applicants for—

1 (1) planning and building State capacity (which
2 may be accomplished through grants and contracts
3 with qualified organizations) for implementing state-
4 wide, school-aged service-learning programs, includ-
5 ing—

6 (A) preservice and in-service training for
7 teachers, supervisors, and personnel from com-
8 munity organizations in which service opportu-
9 nities will be provided that will be conducted
10 by qualified individuals or organizations that
11 have experience in service-learning programs;

12 (B) developing service-learning curricula,
13 including age-appropriate learning components
14 for students to analyze and apply their service
15 experiences;

16 (C) forming local partnerships to develop
17 school-based community service programs in
18 accordance with this subpart;

19 (D) devising appropriate methods for re-
20 search and evaluation of the educational value
21 of youth service opportunities and the effect of
22 youth service programs on communities;

23 (E) establishing effective outreach and dis-
24 semination to ensure the broadest possible in-
25 volvement of nonprofit community-based orga-

1 nizations and youth-service agencies with dem-
2 onstrated effectiveness in their communities;
3 and

4 (F) integration of service-learning into aca-
5 demic curricula;

6 (2) the implementation, operation, or expansion
7 of statewide, school-based service-learning programs
8 through State distribution of Federal funds made
9 available under this subtitle to projects and activities
10 coordinated and operated by local partnerships
11 among—

12 (A) local educational agencies; and

13 (B) one or more community partners that—

14 (i) shall include a public or private
15 nonprofit organization that will make serv-
16 ice opportunities available for participants,
17 and that is representative of the community
18 in which such services will be provided;
19 and

20 (ii) may include a private for-profit
21 business organization or private elementary
22 and secondary school;

23 (3) the implementation, operation, or expansion
24 of community service programs for school dropouts,
25 out-of-school youth, and other youth through State

1 distribution of Federal funds made available under
2 this subtitle to projects and activities coordinated and
3 operated by local partnerships among—

4 (A) one or more public or private nonprofit
5 organizations that work with disadvantaged
6 youth; and

7 (B) one or more community partners that
8 shall include a public or private nonprofit orga-
9 nization that will make service opportunities
10 available for participants; and

11 (4) the implementation, operation, or expansion
12 of programs involving adult volunteers in schools, or
13 partnerships of schools and public or private organi-
14 zations, to improve the education of at-risk students,
15 school dropouts, and out-of-school youth through
16 State distribution of Federal funds made available
17 under this part to projects and activities coordinated
18 and operated by local partnerships among—

19 (A) local education agencies; and

20 (B) one or more public or private nonprofit
21 organization or private for-profit business.

22 (b) DIRECT GRANTS.—In any fiscal year in which a
23 State does not participate in programs under this subtitle,
24 the Commission may use the allotment of that State to
25 make direct grants for the purposes described in subsection

1 (a) to local applicants in that State. The Commission shall
2 apply the criteria described in section 114 in evaluating
3 such local applications.

4 SEC. 112. ALLOTMENTS.

5 (a) RESERVATIONS.—Of the amounts appropriated to
6 carry out this subtitle for any fiscal year, the Commission
7 shall reserve not more than 1 percent for payments to
8 Indian tribes, Guam, American Samoa, the Commonwealth
9 of the Northern Mariana Islands and Palau, until such time
10 as the Compact of Free Association is ratified, to be allot-
11 ted in accordance with their respective needs.

12 (b) ALLOTMENT.—The remainder of the sums appro-
13 priated to carry out this subtitle shall be allotted among the
14 States as follows:

15 (1) From 50 percent of such remainder the Sec-
16 retary shall allot to each State an amount which
17 bears the same ratio to 50 percent of such remainder
18 as the school-age population of the State bears to the
19 school-age population of all States.

20 (2) From 50 percent of such remainder the Sec-
21 retary shall allot to each State an amount which
22 bears the same ratio to 50 percent of such remainder
23 as allocations to the State for the previous fiscal year
24 under chapter 1 of title I of the Elementary and Sec-

1 ondary Education Act of 1965 bears to such alloca-
2 tions to all States.

3 (c) LIMITATION.—For any period during which a State
4 is carrying out planning activities under section 111(a)(1)
5 prior to implementation under section 111(a)(2), a State
6 may be paid not more than 25 percent of its allotment
7 under this section.

8 (d) REALLOTMENT.—The amount of any State's allot-
9 ment for any fiscal year under this section that the Com-
10 mission determines will not be required for that fiscal year
11 shall be available for reallocation to other States as the
12 Commission may determine appropriate.

13 (e) EXCEPTION.—Notwithstanding this section, if less
14 than \$20,000,000 is made available in each fiscal year to
15 carry out this subtitle, the Commission shall award grants
16 to States on a competitive basis.

17 (f) DEFINITIONS.—For purposes of this section:

18 (1) SCHOOL-AGE POPULATION.—The term
19 “school-age population” means the population aged
20 5 through 17, inclusive.

21 (2) STATE.—The term “State” includes the 50
22 States, the District of Columbia, and the Common-
23 wealth of Puerto Rico.

1 SEC. 113. STATE APPLICATION.

2 To be eligible to receive a grant under this subtitle a
3 State, acting through the State educational agency, shall
4 prepare and submit to the Commission, an application at
5 such time, in such manner, and containing such informa-
6 tion as the Commission shall reasonably require, including
7 a description of the manner in which—

8 (1) local applications will be ranked by the
9 State according to the criteria described in section
10 114, and in a manner that ensures the equitable treat-
11 ment of local applications submitted by both local
12 educational agencies and community-based organiza-
13 tions;

14 (2) service programs within the State will be
15 coordinated with each other and with other Federally
16 assisted education programs, training programs,
17 social service programs, and other appropriate pro-
18 grams that serve youth;

19 (3) cooperative efforts among local educational
20 agencies, local government agencies, community-
21 based agencies, businesses, and State agencies to de-
22 velop and provide service opportunities, including
23 those that involve the participation of urban, subur-
24 ban, and rural youth working together, will be en-
25 couraged;

1 (4) economically and educationally disadvan-
2 tagged youths, including individuals with disabilities,
3 youth with limited basic skills or learning disabili-
4 ties, youth in foster care who are becoming too old
5 for foster care, youth of limited English proficiency,
6 homeless youth and youth with disabilities, are as-
7 sured of service opportunities;

8 (5) service programs that receive assistance
9 under this subtitle will be evaluated;

10 (6) programs that receive assistance under this
11 subtitle will serve urban and rural areas and any
12 tribal areas that exist within such State;

13 (7) training and technical assistance will be pro-
14 vided to local grantees by qualified and experienced
15 individuals employed by the State or through grant
16 or contract with experienced content specialist and
17 youth service resource organizations;

18 (8) non-Federal assistance will be used to
19 expand service opportunities for students and out-of-
20 school youth;

21 (9) information and outreach services will be
22 disseminated and utilized to ensure the involvement
23 of a broad range of organizations, particularly com-
24 munity-based organizations;

1 (10) the State will keep such records and pro-
2 vide such information to the Secretary as may be re-
3 quired for fiscal audits and program evaluation;

4 (11) the State will give special consideration to
5 providing assistance to projects that will provide aca-
6 demic credit to participants; and

7 (12) the State will assure compliance with the
8 specific requirements of this subtitle.

9 SEC. 114. LOCAL APPLICATIONS.

10 (a) IN GENERAL.—A partnership that desires to re-
11 ceive financial assistance under this subtitle shall prepare
12 and submit to the State Educational Agency a proposal that
13 meets the requirements of this section. Such proposal shall
14 be submitted at such time, in such manner, and containing
15 such information as the State Educational Agency may
16 reasonably require.

17 (b) REQUIREMENTS OF PROPOSAL.—A proposal submit-
18 ted under subsection (a) shall—

19 (1) contain a written agreement, between the
20 members of the local partnership, stating that the
21 program was jointly developed by the parties and
22 that the program will be jointly executed by the par-
23 ties;

24 (2) establish and specify the membership and
25 role of an advisory committee that shall consist of

1 representatives of community-based agencies includ-
2 ing community action agencies, service recipients,
3 youth-serving agencies, youth, parents, teachers, ad-
4 ministrators, agencies that serve older adults, school
5 board members, labor, and business;

6 (3) describe the goals of the program which
7 shall include goals that are quantifiable, measurable,
8 and demonstrate any benefits that flow from the pro-
9 gram to the participants and the community;

10 (4) describe service opportunities to be provided
11 under the program that shall include evidence that
12 participants will make a sustained commitment to the
13 service project;

14 (5) describe the manner in which the partici-
15 pants in the program will be recruited, including any
16 special efforts that will be utilized to recruit out-of-
17 school youth with the assistance of community-based
18 agencies;

19 (6) describe the manner in which participants in
20 the program were or will be involved in the design
21 and operation of the program;

22 (7) describe the qualifications, and responsibil-
23 ities of the coordinator of the program assisted under
24 this subtitle;

1 (8) describe preservice and inservice training for
2 supervisors, teachers, and participants in the pro-
3 gram;

4 (9) describe the manner in which exemplary
5 service will be recognized;

6 (10) describe any potential resources that will
7 permit continuation of the program, if needed, after
8 the assistance received under this subtitle has ended;

9 (11) disclose whether the program plans include
10 preventing and treating school-age drug and alcohol
11 abuse and dependency; and

12 (12) contain assurances that, prior to the place-
13 ment of a participant, the program will consult with
14 any local labor organization representing employees
15 in the area who are engaged in the same or similar
16 work as that proposed to be carried out by such pro-
17 gram.

18 (c) SCHOOL-BASED AND COMMUNITY-BASED SERVICE
19 LEARNING PROGRAM.—If an applicant under this section in-
20 tends to operate a program described in section 111(a)(2)
21 or 111(a)(3) such applicant, in addition to providing the
22 information described in subsection (b), shall provide addi-
23 tional information that shall include—

24 (1) an assurance that the applicant will develop
25 an age-appropriate learning component for partici-

1 participants in the program that shall include a chance for
2 participants to reflect on service experiences and ex-
3 pected learning outcomes;

4 (2) a disclosure of whether or not the partici-
5 pants will receive academic credit for participation in
6 the program;

7 (3) the target levels of participants in the pro-
8 gram and the target levels for the hours of service
9 that such participants will provide individually and
10 as a group;

11 (4) the proportion of expected participants in
12 the program who are educationally or economically
13 disadvantaged, including participants with disabil-
14 ities;

15 (5) the ages or grade levels of expected partici-
16 pants in the program;

17 (6) other relevant demographic information con-
18 cerning such expected participants; and

19 (7) assurances that participants in the program will be
20 provided with information concerning VISTA, the Peace
21 Corps (as established by the Peace Corps Act (22 U.S.C.
22 2501 et seq.)), chapter 30 of title 38, United States Code,
23 chapter 106 of title 10, United States Code, full-time
24 Youth Service Corps and National Service programs re-
25 ceiving assistance under this title, and other service options

1 and their benefits (such as student loan deferment and for-
2 giveness) as appropriate.

3 (d) PARTNERSHIP PROGRAM.—If an applicant under
4 this section intends to operate an adult role partnership
5 program, under section 111(a)(4) such applicant, in addi-
6 tion to the information required to be included in the appli-
7 cation under subsection (b), shall describe the students
8 who are to be assisted through such program, including the
9 ages and grade levels of such students.

10 SEC. 115. PRIORITY; PRIVATE SCHOOL PARTICIPATION.

11 (a) IN GENERAL.—In providing assistance under this
12 subtitle, the State educational agency, or the Commission
13 if section 111(b) applies, shall give priority to applications
14 that describe programs that—

15 (1) involve participants in the design and oper-
16 ation of the program;

17 (2) are in the greatest need of assistance, such
18 as programs targeting low-income areas;

19 (3) involve students from both public and pri-
20 vate elementary and secondary schools or individuals
21 of different ages, races, sexes, ethnic groups, disabil-
22 ities and economic backgrounds serving together;

23 (4) are integrated into the academic program; or

24 (5) involve a focus on substance abuse preven-
25 tion or school drop-out prevention.

1 (b) ADULT VOLUNTEER AND PARTNERSHIP PROGRAM.—

2 In the case of an adult volunteer and partnership program
3 (as described in section 111(a)(4)) the State educational
4 agency, or the Commission, if section 111(b) applies, shall
5 give priority to applications that contain a description of
6 programs—

7 (1) that involve older Americans or parents as
8 adult volunteers;

9 (2) that involve a partnership between an educa-
10 tional institution and a private business in the com-
11 munity;

12 (3) that include a focus on substance abuse pre-
13 vention, school drop-out prevention, or nutrition; or

14 (4) that will improve basic skills and reduce il-
15 literacy.

16 (c) PARTICIPATION OF CHILDREN AND TEACHERS FROM
17 PRIVATE SCHOOLS.—

18 (1) IN GENERAL.—To the extent consistent with
19 the number of children in the State or in the school
20 district of the local educational agency involved who
21 are enrolled in private nonprofit elementary and sec-
22 ondary schools, such State or agency shall (after
23 consultation with appropriate private school repre-
24 sentatives) make provision—

1 (A) for the inclusion of services and ar-
2 rangements for the benefit of such children so
3 as to assure the equitable participation of such
4 children in the programs or projects implement-
5 ed to carry out the purposes and provide the
6 benefits described in this subtitle; and

7 (B) for the training of the teachers of such
8 children so as to assure the equitable participa-
9 tion of such teachers in the programs or projects
10 implemented to carry out the purposes and pro-
11 vide the benefits described in this subtitle.

12 (2) WAIVER.—If a State or local educational
13 agency or institution of higher education is prohibit-
14 ed by law from providing for the participation of
15 children or teachers from private nonprofit schools
16 as required by paragraph (1), or if the Secretary de-
17 termines that a State or local educational agency
18 substantially fails or is unwilling to provide for such
19 participation on an equitable basis, the Secretary
20 shall waive such requirements and shall arrange for
21 the provision of services to such children and teach-
22 ers. Such waivers shall be subject to consultation,
23 withholding, notice, and judicial review requirements
24 in accordance with section 1017 of the Elementary
25 and Secondary Education Act of 1965.

1 SEC. 116. FEDERAL AND LOCAL CONTRIBUTIONS.

2 (a) FEDERAL SHARE.—

3 (1) IN GENERAL.—The Federal share of a grant
4 or contract for a project under this subtitle may not
5 exceed—

6 (A) 90 percent of the total cost of a project
7 for the first year for which the project receives
8 assistance under this subtitle;

9 (B) 80 percent of the total cost of a project
10 for the second year for which the project re-
11 ceives assistance under this subtitle; and

12 (C) 70 percent of the total cost of a project
13 for the third year for which the project receives
14 assistance under this subtitle.

15 (2) CALCULATION.—The State and local share of
16 the costs of a project may be in cash or in kind
17 fairly evaluated, including facilities, equipment, or
18 services.

19 (b) WAIVER.—The Secretary may waive the require-
20 ments of subsection (a) with respect to any project in any
21 fiscal year if the Secretary determines that such a waiver
22 would be equitable due to a lack of available financial re-
23 sources at the local level.

1 SEC. 117. USES OF FUNDS; LIMITATIONS.

2 (a) STATE USES OF FUNDS.—The State educational
3 agency may reserve, from funds made available to such
4 agency under this subtitle—

5 (1) not more than 5 percent of such funds for
6 administrative costs for any fiscal year;

7 (2) not more than 10 percent of such funds to
8 build capacity through training, technical assistance,
9 curriculum development, and coordination activities,
10 described in section 111(a)(1);

11 (3) not less than 60 percent of such funds to
12 carry out school-based service learning programs de-
13 scribed in section 111(a)(2);

14 (4) not less than 15 percent of such funds to
15 carry out community-based service programs de-
16 scribed in section 111(a)(3); and

17 (5) not more than 10 percent of such funds to
18 carry out adult volunteer and partnership programs
19 described in section 111(a)(4).

20 (b) AUTHORIZED ACTIVITIES FOR LOCAL PROJECTS.—

21 (1) IN GENERAL.—Local projects may use funds
22 made available under this subtitle for the supervision
23 of participating students, program administration,
24 training, reasonable transportation costs, insurance,
25 and for other reasonable expenses.

1 (2) LIMITATION.—Funds made available under
2 this subtitle may not be used to pay any stipend, al-
3 lowance, or other financial support to any partici-
4 pant, except reimbursement for transportation, meals,
5 and other reasonable out-of-pocket expenses directly
6 related to participation in a program assisted under
7 this subtitle.

8 **PART II—HIGHER EDUCATION INNOVATIVE PROJECTS**
9 **FOR COMMUNITY SERVICE**

10 **SEC. 118. HIGHER EDUCATION INNOVATIVE PROJECTS FOR COM-**
11 **MUNITY SERVICE.**

12 (a) PURPOSE.—It is the purpose of this part to support
13 innovative projects to encourage students to participate in
14 community service activities while such students are at-
15 tending institutions of higher education.

16 (b) GENERAL AUTHORITY.—The Commission, in con-
17 sultation with the Secretary of Education, is authorized to
18 make grants to, and enter into contracts with, institutions
19 of higher education (including a combination of such insti-
20 tutions) and other public agencies and nonprofit organiza-
21 tions working in partnership with institutions of higher
22 education—

23 (1) to enable the institution to create or expand
24 community service activities for students attending
25 that institution;

1 (2) to encourage student-initiated and student-
2 designed community service projects;

3 (3) to facilitate the integration of community
4 service into academic curricula, so that students can
5 obtain credit for their community service activities;

6 (4) to encourage students to participate in com-
7 munity service activities that will engender a sense
8 of social responsibility and commitment to the com-
9 munity;

10 (5) to encourage students to assist in the teach-
11 ing of individuals with limited basic skills or an in-
12 ability to read and write; and

13 (6) to provide for the training of teachers, pro-
14 spective teachers, related education personnel, and
15 community leaders in the skills necessary to develop,
16 supervise, and organize community service activities,
17 taking into consideration the particular needs of a
18 community and the ability of the grantee to actively
19 involve a major part of the community in, and sub-
20 stantially benefit the community by, the proposed
21 community service activities.

22 (c) FEDERAL SHARE.—

23 (1) IN GENERAL.—The Federal share of each
24 grant awarded under this section shall not exceed 50

1 percent of the cost of the community service activi-
2 ties carried out with each such grant.

3 (2) NON-FEDERAL SOURCES.—That portion of the
4 costs of programs that receive assistance under this
5 subtitle that are to be paid from sources other than
6 Federal funds may be paid in cash or in kind (fairly
7 evaluated).

8 (d) APPLICATION FOR GRANT.—To receive a grant
9 under this subtitle, an applicant shall prepare and submit to
10 the Commission, an application at such time, in such
11 manner, and containing such information as the Commis-
12 sion may reasonably require, including—

13 (1) a description of the proposed program to be
14 established with assistance provided under the grant;

15 (2) a description of the human, educational, en-
16 vironmental or public safety service that participants
17 will perform and the community need that will be
18 addressed under such program;

19 (3) a description of whether or not students will
20 receive academic credit for community service ac-
21 tivities under the program;

22 (4) a description of the procedure for training
23 supervisors and participants and for supervising and
24 organizing participants in such proposed program;

- 1 (5) a description of the procedures to ensure
2 that the proposed program provides participants with
3 an opportunity to reflect on their service experiences;
4 (6) a description of the budget for the program;
5 and
6 (7) assurances that, prior to the placement of a
7 participant in the program, the applicant will consult
8 with any local labor organization representing em-
9 ployees in the area who are engaged in the same or
10 similar work as that proposed to be carried out by
11 such project.

12 **Subtitle C—American Conservation and** 13 **Youth Corps**

14 **SEC. 120. SHORT TITLE.**

15 This subtitle may be cited as the “American Conser-
16 vation and Youth Service Corps Act of 1990”.

17 **SEC. 121. GENERAL AUTHORITY.**

18 The Commission may make grants under section 102
19 to States or local applicants, to the Secretary of Agricul-
20 ture, to the Secretary of the Interior, or to the Director of
21 ACTION for the creation or expansion of full-time or
22 summer youth corps programs.

23 **SEC. 122. ALLOCATION OF FUNDS.**

24 (a) **COMPETITIVE GRANT.**—The Commission shall
25 award grants under this subtitle on a competitive basis to

1 States or Indian tribes that have submitted applications
2 under section 123.

3 (b) DIRECT GRANTS.—

4 (1) IN GENERAL.—In the case of a State that
5 does not apply for a grant under this subtitle or have
6 an application approved under section 123, the Com-
7 mission may award grants directly to public or pri-
8 vate nonprofit agencies with experience in youth
9 programs within such State.

10 (2) EVALUATION.—

11 (A) APPLICATION OF CRITERIA.—The Com-
12 mission shall apply the criteria described in sec-
13 tion 123 in determining whether to award a
14 grant to a local applicant under this subsection.

15 (B) EQUITABLE ALLOCATION.—If more than
16 one local applicant within a State applies for
17 funds, the Commission shall allocate funds
18 among such applicants in such manner as the
19 Commission considers equitable.

20 (3) INDIAN TRIBES.—An Indian tribe shall be
21 treated the same as a State for purposes of making
22 grants under this subtitle.

23 (4) GRANT TO FEDERAL AGENCY.—If a State has
24 failed to establish a youth corps program and no
25 local youth corps programs exist within such State,

1 the Commission may make a grant to a Federal
2 agency to directly administer a youth corps program.

3 (c) LIMITATION.—

4 (1) CAPITAL EQUIPMENT.—Not to exceed 10 per-
5 cent of the amount of assistance made available to a
6 program agency under this subtitle shall be used for
7 the purchase of major capital equipment.

8 (2) ADMINISTRATIVE EXPENSES.—

9 (A) BY PROGRAM AGENCY.—Not to exceed
10 5 percent of the amount of assistance made
11 available to a program agency under this sub-
12 title shall be used for administrative expenses.

13 (B) BY STATE.—Not to exceed 5 percent of
14 the amount of assistance made available to a
15 State under this subtitle shall be used for ad-
16 ministrative expenses.

17 (d) RESERVATION.—

18 (1) FEDERAL DISASTER RELIEF.—The Commission
19 shall reserve not to exceed 5 percent of the amounts
20 made available in each fiscal year to make grants
21 under this subtitle for Federal disaster relief pro-
22 grams.

23 (2) INDIAN TRIBES.—The Commission shall re-
24 serve not to exceed 1 percent of the amounts made

1 available in each fiscal year to make grants under
2 this subtitle to Indian tribes.

3 (e) **EQUITABLE FUNDING OF CONSERVATION AND SERV-**
4 **ICE PROGRAMS.**—The Commission shall award an equal
5 number of grants to conservation corps programs and
6 youth corps programs.

7 **SEC. 123. STATE APPLICATION.**

8 (a) **SUBMISSION.**—To be eligible to receive a grant
9 under this subtitle, a State or Indian tribe (or a local appli-
10 cant if section 122(b) applies) shall prepare and submit to
11 the Commission, an application at such time, in such
12 manner, and containing such information as the Commis-
13 sion may reasonably require, including the information re-
14 quired under subsection (b).

15 (b) **GENERAL CONTENT.**—An application submitted
16 under subsection (a) shall describe—

17 (1) any youth corps program proposed to be
18 conducted directly by such applicant with assistance
19 provided under this subtitle; and

20 (2) any grant program proposed to be conducted
21 by such State with assistance provided under this
22 subtitle for the benefit of entities within such State.

23 (c) **SPECIFIC CONTENT.**—To receive a grant under this
24 subtitle to directly conduct a youth corps program, each

1 applicant shall include in the application submitted under
2 subsection (a)—

3 (1) a comprehensive description of the objec-
4 tives and performance goals for the program to be
5 conducted, a plan for managing and funding the pro-
6 gram, and a description of the types of projects to be
7 carried out, including a description of the types and
8 duration of training and work experience to be pro-
9 vided by such program;

10 (2) a plan for the certification of the training
11 skills acquired by participants and the awarding of
12 academic credit to participants for competencies de-
13 veloped through training programs or work experi-
14 ence obtained under this subtitle;

15 (3) an age-appropriate learning component for
16 participants that includes procedures that permit par-
17 ticipants to reflect on service experiences;

18 (4) an estimate of the number of participants
19 and crew leaders necessary for the proposed pro-
20 gram, the length of time that the services of such
21 participants and crew leaders will be required, the
22 support services that will be required for such par-
23 ticipants and crew leaders, and a plan for recruiting
24 such participants, including educationally and eco-
25 nomically disadvantaged youth, youth with limited

1 basic skills or learning disabilities, homeless youth,
2 youth with disabilities, youth who are in foster care
3 who are becoming too old for foster care, and youth
4 of limited English proficiency;

5 (5) a list of requirements to be imposed on the
6 sponsoring organizations of participants in the pro-
7 gram, including a requirement that a sponsoring or-
8 ganization that invests in a program that receives as-
9 sistance under this subtitle, by making a cash contri-
10 bution or by providing free training to participants,
11 shall be given preference over a sponsoring organi-
12 zation that does not make such an investment;

13 (6) a description of the manner of appointment
14 and training of sufficient supervisory staff (including
15 participants who have displayed exceptional leader-
16 ship qualities), who shall provide for other central
17 elements of a youth corps, such as crew structure
18 and a youth development component;

19 (7) a description of a plan to ensure the on-site
20 presence of knowledgeable and competent superviso-
21 ry personnel at program facilities;

22 (8) a description of the facilities, quarters and
23 board (in the case of residential facilities), limited
24 and emergency medical care, transportation from ad-
25 ministrative facilities to work sites, accommodations

1 for individuals with disabilities, and other appropri-
2 ate services, supplies, and equipment that will be
3 provided by such applicant;

4 (9) a description of the basic standards of work
5 requirements, health, nutrition, sanitation, and safety,
6 and the manner that such standards shall be en-
7 forced;

8 (10) a description of the plan to assign partici-
9 pants to facilities as near to the homes of such par-
10 ticipants as is reasonable and practicable;

11 (11) an assurance that, prior to the placement of
12 a participant under this subtitle, the program agency
13 will consult with any local labor organization repre-
14 senting employees in the area who are engaged in
15 the same or similar work as that proposed to be car-
16 ried out by such program;

17 (12) a description of formal social counseling
18 arrangements to be made available to the participant;

19 (13) a plan for ensuring that individuals do not
20 drop out of school for the purpose of participating in
21 a youth corps program; and

22 (14) such other information as the Commission
23 shall require.

24 (d) GRANT PROGRAM.—To be eligible to receive a
25 grant under this subtitle, a State shall establish and imple-

1 ment a program to make grants to applicants within the
2 State pursuant to subsection (b)(2) and, in the application
3 submitted under subsection (a), such State shall describe
4 the manner in which—

5 (1) local applicants will be evaluated;

6 (2) service programs within the State will be
7 coordinated;

8 (3) economically and educationally disadvan-
9 tagged youth, including youth with disabilities, youth
10 with limited basic skills or learning disabilities,
11 youth with limited English proficiency, homeless
12 youth, and youth in foster care who are becoming
13 too old for foster care, will be recruited;

14 (4) programs that receive assistance under this
15 subtitle will be evaluated;

16 (5) the State will encourage cooperation among
17 programs that receive assistance under this subtitle
18 and the appropriate State job training coordinating
19 council established under the Job Training and Part-
20 nership Act (29 U.S.C. 1501 et seq.);

21 (6) such State will certify the training skills ac-
22 quired by each participant and the credit provided to
23 each participant for competencies developed through
24 training programs or work experience obtained under

1 grams serving individuals with disabilities, and
2 schools;

3 (C) law enforcement agencies, and penal
4 and probation systems;

5 (D) private nonprofit organizations that pri-
6 marily focus on social service such as commu-
7 nity action agencies;

8 (E) activities that focus on the rehabilita-
9 tion or improvement of public facilities, neigh-
10 borhood improvements, literacy training that
11 benefits educationally disadvantaged individuals,
12 weatherization of and basic repairs to low-
13 income housing including housing occupied by
14 older adults, energy conservation (including
15 solar energy techniques), removal of architectur-
16 al barriers to access by individuals with disabil-
17 ities to public facilities, activities that focus on
18 drug and alcohol abuse education, prevention
19 and treatment, and conservation, maintenance,
20 or restoration of natural resources on publicly
21 held lands; and

22 (F) any other nonpartisan civic activities
23 and services that the Commission determines to
24 be of a substantial social benefit in meeting
25 unmet human, educational, or environmental

1 needs (particularly needs related to poverty) or
2 in the community where volunteer service is to
3 be performed; or

4 (3) encompass the focuses and services de-
5 scribed in both paragraphs (1) and (2).

6 (b) INELIGIBLE SERVICE CATEGORIES.—To be eligible
7 to receive assistance under this subtitle, the activities con-
8 ducted through programs referred to in subsection (a) shall
9 not be conducted by any—

10 (1) business organized for profit;

11 (2) labor union;

12 (3) partisan political organization;

13 (4) organization engaged in religious activities,
14 unless such activities do not involve the use of funds
15 provided under this title by program participants and
16 program staff to give religious instruction, conduct
17 worship services, or engage in any form of proselyt-
18 ization; or

19 (5) domestic or personal service company or
20 organization.

21 (c) LIMITATION ON SERVICE.—No participant shall per-
22 form services in any project for more than a 6-month
23 period. No participant shall remain enrolled in projects as-
24 sisted under this subtitle for more than 24 months.

1 SEC. 125. RELATED PROGRAMS.

2 An activity administered under the authority of the
3 Secretary of Health and Human Services, that is operated
4 for the same purpose as a program eligible to be carried
5 out under this subtitle, is encouraged to use services avail-
6 able under this subtitle.

7 SEC. 126. PUBLIC LANDS OR INDIAN LANDS.

8 (a) LIMITATION.—To be eligible to receive assistance
9 through a grant provided under this subtitle, a program
10 shall carry out activities on public lands or Indian lands, or
11 result in a public benefit.

12 (b) REVIEW OF APPLICATIONS.—In reviewing applica-
13 tions submitted under section 123 that propose programs
14 or projects to be carried out on public lands or Indian
15 lands, the Commission shall consult with the Secretary of
16 the Interior.

17 (c) CONSISTENCY.—A program carried out with assist-
18 ance provided under this subtitle for conservation, rehabili-
19 tation, or improvement of any public lands or Indian lands
20 shall be consistent with—

21 (1) the provisions of law and policies relating to
22 the management and administration of such lands,
23 and all other applicable provisions of law; and

24 (2) all management, operational, and other plans
25 and documents that govern the administration of
26 such lands.

1 (d) PARTICIPATION BY OTHER CONSERVATION PRO-
2 GRAMS.—Any land or water conservation program (or any
3 related program) administered in any State under the au-
4 thority of any Federal program is encouraged to use serv-
5 ices available under this part to carry out its program.

6 SEC. 127. TRAINING AND EDUCATION SERVICES.

7 (a) ASSESSMENT OF SKILLS.—Each program agency
8 shall assess the educational level of participants at the time
9 of their entrance into the program, using any available
10 records or simplified assessment means or methodology
11 and shall, where appropriate, refer such participants for
12 testing for specific learning disabilities.

13 (b) ENHANCEMENT OF SKILLS.—Each program agency
14 shall, through the programs and activities administered
15 under this subtitle, enhance the educational skills of par-
16 ticipants.

17 (c) PROVISION OF PRE-SERVICE AND IN-SERVICE TRAIN-
18 ING AND EDUCATION.—

19 (1) REQUIREMENT.—Each program agency shall
20 use not less than 10 percent of the assistance made
21 available to such agency under this subtitle in each
22 fiscal year to provide pre-service and in-service
23 training and educational materials and services for
24 participants in such a program. Program participants
25 shall be provided with information concerning the

1 benefits to the community that result from the activi-
2 ties undertaken by such participants.

3 (2) AGREEMENTS FOR ACADEMIC STUDY.—A pro-
4 gram agency may enter into arrangements with aca-
5 demic institutions or education providers, includ-
6 ing—

7 (A) local education agencies;

8 (B) community colleges;

9 (C) 4-year colleges;

10 (D) area vocational-technical schools; and

11 (E) community based organizations;

12 to evaluate the basic skills of participants and to
13 make academic study available to participants to
14 enable such participants to upgrade literacy skills, to
15 obtain high school diplomas or the equivalent of
16 such diplomas, to obtain college degrees, or to en-
17 hance employable skills.

18 (3) COUNSELING.—Career and educational guid-
19 ance and counseling shall be provided to a partici-
20 pant during a period of in-service training as de-
21 scribed in this subsection. Each graduating partici-
22 pant shall be provided with counseling with respect
23 to additional study, job skills training or employment
24 and shall be provided job placement assistance
25 where appropriate.

1 (4) PRIORITY FOR PARTICIPANTS WITHOUT HIGH
2 SCHOOL DIPLOMAS.—A program agency shall give
3 priority to participants who have not obtained a high
4 school diploma or the equivalent of such diploma, in
5 providing services under this subsection.

6 (d) STANDARDS AND PROCEDURES.—

7 (1) CONSISTENCY WITH STATE AND LOCAL RE-
8 QUIREMENTS.—Appropriate State and local officials
9 shall certify that standards and procedures with re-
10 spect to the awarding of academic credit and the cer-
11 tification of educational attainment in programs con-
12 ducted under subsection (c) are consistent with the
13 requirements of applicable State and local law and
14 regulations.

15 (2) ACADEMIC STANDARDS.—The standards and
16 procedures described in paragraph (1) shall provide
17 that an individual serving in a program that receives
18 assistance under this subtitle—

19 (A) who is not a high school graduate, par-
20 ticipate in an educational curriculum so that
21 such individual can earn a high school diploma
22 or the equivalent of such diploma; and

23 (B) may arrange to receive academic credit
24 in recognition of the education and skills ob-
25 tained from service satisfactorily completed.

1 SEC. 128. AMOUNT OF AWARD; MATCHING REQUIREMENT.

2 (a) AMOUNT OF AWARD.—In determining the amount
3 of a grant to be awarded to an applicant under this subtitle,
4 the Commission shall consider—

5 (1) the number of participants to be served;

6 (2) the youth unemployment rate in the State;

7 and

8 (3) the type of project or service proposed to be
9 carried out with the assistance provided under this
10 subtitle.

11 (b) MATCHING REQUIREMENT.—

12 (1) FEDERAL SHARE.—The Federal share of the
13 cost of activities for which a grant is made to a State
14 or local applicant under this subtitle shall not exceed
15 75 percent of the total cost of such activities.

16 (2) DEMONSTRATION OF EFFECTIVENESS.—In ad-
17 dition to the matching requirement in paragraph (1),
18 the State or local applicant shall demonstrate to the
19 satisfaction of the Commission that the effectiveness
20 of the project will be enhanced by the use of Federal
21 funds.

22 SEC. 129. PREFERENCE FOR CERTAIN PROJECTS.

23 (a) IN GENERAL.—In the consideration of applications
24 submitted under section 123, the Commission shall give
25 preference to programs that—

1 (1) will provide long-term benefits to the
2 public;

3 (2) will instill a work ethic and a sense of
4 public service in the participants;

5 (3) will be labor intensive, and involve youth
6 operating in crews;

7 (4) can be planned and initiated promptly; and

8 (5) will enhance skills development and educa-
9 tional level and opportunities for the participants.

10 (b) SPECIAL RULE.—In the consideration of applica-
11 tions under this subtitle the Commission shall ensure the
12 equitable treatment of both urban and rural areas.

13 SEC. 130. AGE AND CITIZENSHIP CRITERIA FOR ENROLLMENT.

14 (a) AGE AND CITIZENSHIP.—Enrollment in programs
15 that receive assistance under this subtitle shall be limited
16 to individuals who, at the time of enrollment, are—

17 (1) not less than 16 years nor more than 25
18 years of age, except that summer programs may in-
19 clude individuals not less than 15 years nor more
20 than 21 years of age at the time of the enrollment of
21 such individuals; and

22 (2) citizens or nationals of the United States or
23 lawful permanent resident aliens of the United
24 States.

1 (b) PARTICIPATION OF DISADVANTAGED YOUTH.—Pro-
2 grams that receive assistance under this subtitle shall
3 ensure that educationally and economically disadvantaged
4 youth, including youth in foster care who are becoming too
5 old for foster care, youth with disabilities, youth with lim-
6 ited English proficiency, youth with limited basic skills or
7 learning disabilities and homeless youth, are offered op-
8 portunities to enroll.

9 (c) SPECIAL CORPS MEMBERS.—Notwithstanding sub-
10 section (a)(1), program agencies may enroll a limited
11 number of special corps members over age 25 so that the
12 corps may draw on their special skills to fulfill the pur-
13 poses of this Act. Programs are encouraged to consider
14 senior citizens as special corps members.

15 (d) JOINT PROJECTS WITH SENIOR CITIZENS ORGANIZA-
16 TIONS.—Program agencies shall use not more than 2 per-
17 cent of amounts received under this subtitle to conduct
18 joint projects with senior citizens organizations to enable
19 senior citizens to serve as mentors for youth participants.

20 (e) CONSTRUCTION.—Nothing in subsection (a) shall
21 be construed to prohibit any program agency from limiting
22 enrollment to any age subgroup within the range specified
23 in subsection (a)(1).

1 SEC. 131. USE OF VOLUNTEERS.

2 Program agencies may use volunteer services for pur-
3 poses of assisting projects carried out under this subtitle
4 and may expend funds made available for those purposes
5 to the agency, including funds made available under this
6 subtitle, to provide for services or costs incidental to the
7 utilization of such volunteers, including transportation,
8 supplies, lodging, recruiting, training, and supervision. The
9 use of volunteer services under this section shall be subject
10 to the condition that such use does not result in the dis-
11 placement of any participant.

12 SEC. 132. POST-SERVICE BENEFITS.

13 The program agency shall provide post-service educa-
14 tion and training benefits (such as scholarships and grants)
15 for each participant in an amount that is not in excess of
16 \$100 per week, or in excess of \$5,000 per year, whichever
17 is less.

18 SEC. 133. LIVING ALLOWANCE.

19 (a) FULL-TIME SERVICE.—

20 (1) IN GENERAL.—From assistance provided
21 under this subtitle, each participant in a full-time
22 youth corps program that receives assistance under
23 this subtitle shall receive a living allowance of not
24 more than an amount equal to 100 percent of the
25 poverty line for a family of two (as defined in sec-

1 tion 673(2) of the Community Services Block Grant
2 Act (42 U.S.C. 9902(2))):

3 (2) NON-FEDERAL SOURCES.—Notwithstanding
4 paragraph (1), a program agency may provide par-
5 ticipants with additional amounts that are made
6 available from non-Federal sources.

7 (b) REDUCTION IN EXISTING PROGRAM BENEFITS.—

8 (1) IN GENERAL.—Nothing in this section shall
9 be construed to require a program in existence on
10 the date of enactment of this Act to decrease any sti-
11 pends, salaries, or living allowances provided to par-
12 ticipants under such program so long as the amount
13 of any such stipends, salaries, or living allowances
14 that is in excess of the levels provided for in this
15 section are paid from non-Federal sources.

16 (2) FAIR LABOR STANDARDS ACT OF 1938.—For
17 purposes of the Fair Labor Standards Act of 1938,
18 residential youth corps programs under this subtitle
19 will be considered an organized camp.

20 (c) HEALTH INSURANCE.—In addition to the living al-
21 lowance provided under subsection (a), program agencies
22 are encouraged to provide health insurance to each partici-
23 pant in a full-time youth corps program who does not oth-
24 erwise have access to health insurance.

25 (d) FACILITIES, SERVICES, AND SUPPLIES.—

1 (1) IN GENERAL.—The program agency may
2 deduct, from amounts provided under subsections (a)
3 and (c) to a participant, a reasonable portion of the
4 costs of the rates for any room and board that is pro-
5 vided for such participant at a residential facility.
6 Such deducted funds shall be deposited into rollover
7 accounts that shall be used solely to defray the costs
8 of room and board for participants.

9 (2) EVALUATION.—The program agency shall es-
10 tablish the amount of the deductions and rates under
11 paragraph (1) after evaluating the costs of providing
12 such room and board to the participant.

13 (3) DUTIES OF PROGRAM AGENCY.—A program
14 agency may provide facilities, quarters, and board
15 and shall provide limited and emergency medical
16 care, transportation from administrative facilities to
17 work sites, accommodations for individuals with dis-
18 abilities, and other appropriate services, supplies, and
19 equipment to each participant.

20 (4) OTHER FEDERAL AGENCIES.—

21 (A) IN GENERAL.—The Commission may
22 provide services, facilities, supplies, and equip-
23 ment, including any surplus food and equipment
24 available from other Federal programs, to any

1 program agency carrying out projects under this
2 subtitle.

3 (B) SECRETARY OF DEFENSE.—Whenever
4 possible, the Commission shall make arrange-
5 ments with the Secretary of Defense to have lo-
6 gistical support provided by a military installa-
7 tion near the work site, including the provision
8 of temporary tent centers where needed, and
9 other supplies and equipment.

10 (5) HEALTH AND SAFETY STANDARDS.—The
11 Commission and program agencies shall establish
12 standards and enforcement procedures concerning the
13 health and safety of participants for all projects, con-
14 sistent with Federal, State, and local health and
15 safety standards.

16 SEC. 134. JOINT PROGRAMS.

17 (a) DEVELOPMENT.—The Commission may develop,
18 in cooperation with the heads of other Federal agencies,
19 regulations designed to permit, where appropriate, joint
20 programs in which activities supported with assistance
21 made available under this subtitle are coordinated with ac-
22 tivities supported with assistance made available under
23 programs administered by the heads of such agencies (in-
24 cluding the Job Training Partnership Act (29 U.S.C. 1501
25 et seq.)).

1 (b) STANDARDS.—Regulations promulgated under
2 subsection (a) shall establish standards for the approval of
3 joint programs that meet both the purposes of this title and
4 the purposes of such statutes under which assistance is
5 made available to support such projects.

6 (c) OPERATION OF MANAGEMENT AGREEMENTS.—Pro-
7 gram agencies may enter into contracts and other appropri-
8 ate arrangements with local government agencies and non-
9 profit organizations for the operation or management of
10 any projects or facilities under the program.

11 (d) COORDINATION.—The Commission and program
12 agencies carrying out programs under this subtitle shall co-
13 ordinate the programs with related Federal, State, local,
14 and private activities.

15 SEC. 135. FEDERAL AND STATE EMPLOYEE STATUS.

16 (a) IN GENERAL.—Participants and crew leaders shall
17 be responsible to, or be the responsibility of, the program
18 agency administering the program on which such partici-
19 pants, crew leaders, and volunteers work.

20 (b) NON-FEDERAL EMPLOYEES.—

21 (1) IN GENERAL.—Except as otherwise provided
22 in this subsection, a participant or crew leader in a
23 program that receives assistance under this subtitle
24 shall not be considered a Federal employee and shall

1 not be subject to the provisions of law relating to
2 Federal employment.

3 (2) WORK-RELATED INJURY.—For purposes of
4 subchapter I of chapter 81 of title 5, United States
5 Code, relating to the compensation of Federal em-
6 ployees for work injuries, a participant or crew
7 leader serving in a program that receives assistance
8 under this subtitle shall be considered an employee
9 of the United States within the meaning of the term
10 “employee” as defined in section 8101 of title 5,
11 United States Code, and the provision of that sub-
12 chapter shall apply, except—

13 (A) the term “performance of duty”, as
14 used in such subchapter, shall not include an act
15 of a participant or crew leader while absent
16 from the assigned post of duty of such partici-
17 pant or crew leader, except while participating
18 in an activity authorized by or under the direc-
19 tion and supervision of a program agency (in-
20 cluding an activity while on pass or during
21 travel to or from such post of duty); and

22 (B) compensation for disability shall not
23 begin to accrue until the day following the date
24 that the employment of the injured participant
25 or crew leader is terminated.

1 (3) TORT CLAIMS PROCEDURE.—For purposes of
2 chapter 171 of title 28, United States Code, relating
3 to tort claims procedure, a participant or crew lead-
4 ers assigned to a youth corps program for which a
5 grant has been made to the Secretary of Agriculture,
6 Secretary of the Interior, or the Director of ACTION,
7 shall be considered an employee of the United States
8 within the meaning of the term “employee of the
9 government” as defined in section 2671 of such
10 title.

11 (4) ALLOWANCE FOR QUARTERS.—For purposes
12 of section 5911 of title 5, United States Code, relat-
13 ing to allowances for quarters, a participant or crew
14 leader shall be considered an employee of the United
15 States within the meaning of the term “employee”
16 as defined in paragraph (3) of subsection (a) of such
17 section.

18 (c) AVAILABILITY OF APPROPRIATION.—Contract au-
19 thority under this subtitle shall be subject to the availabil-
20 ity of appropriations. Assistance made available under this
21 subtitle shall only be used for activities that are in addition
22 to those which would otherwise be carried out in the area
23 in the absence of such funds.

1 SEC. 136. REGULATIONS AND ASSISTANCE.

2 (a) IN GENERAL.—Before the end of the 120-day
3 period beginning on the date of the enactment of this Act,
4 the Commission shall promulgate regulations necessary to
5 implement the program established by this subtitle.

6 (b) NOTICE AND COMMENT.—

7 (1) IN GENERAL.—Prior to the end of the 30-day
8 period beginning on the date of the enactment of this
9 Act, the Commission shall establish procedures to
10 provide program agencies and other interested parties
11 (including the general public) with adequate notice
12 and an opportunity to comment on and participate in
13 the formulation of regulations promulgated under
14 subsection (a).

15 (2) REPORTING.—The regulations promulgated
16 under subsection (a) shall include provisions to
17 assure uniform reporting on—

18 (A) the activities and accomplishments of
19 Youth Corps programs;

20 (B) the demographic characteristics of par-
21 ticipants in the Youth Corps; and

22 (C) such other information as may be nec-
23 essary to prepare the annual report required by
24 section 172.

1 **Subtitle D—National and Community**
2 **Service**

3 **SEC. 140. SHORT TITLE.**

4 This subtitle may be cited as the “National and Com-
5 munity Service Act”.

6 **SEC. 141. GENERAL AUTHORITY.**

7 The Commission may make grants under section 102
8 to States for the creation of full- and part-time national and
9 community service programs.

10 **SEC. 142. GRANTS.**

11 (a) **CRITERIA FOR RECEIVING APPLICATIONS.**—In deter-
12 mining whether to award a grant to a State under section
13 141, the Commission shall consider—

14 (1) the ability of the proposed program of such
15 State to serve as an effective model for a large-scale
16 national service program;

17 (2) the quality of the application of such State,
18 including the plan of such State for training, recruit-
19 ment, placement, and data collection;

20 (3) the extent that the proposed program builds
21 on existing programs; and

22 (4) the expediency with which the State pro-
23 poses to make the program operational.

24 (b) **DIVERSITY.**—The Commission shall ensure that
25 programs receiving assistance under this subtitle are geo-

1 graphically diverse and include programs in both urban
2 and rural States.

3 (c) TRAINING AND SKILLS.—The Commission shall
4 ensure that some of the programs funded under this sub-
5 title enroll individuals who have completed undergraduate
6 education or specialized post-secondary training and
7 whose training and skills enable them to provide needed
8 services in the State.

9 (d) COMPOSITION OF PROGRAMS.—The Commission
10 shall ensure that not less than 25 percent of the programs
11 that receive assistance under this subtitle include full-time,
12 part-time and special senior service participants.

13 (e) DESIGN OF PROGRAMS.—States shall design pro-
14 grams, consistent with the provisions of this Act, that meet
15 the unique needs of the State, which may include programs
16 that limit the type of service participants may perform or
17 limit the age of participants to a narrower age subgroup.

18 (f) STATE APPLICATION FOR GRANT.—To receive a
19 grant under section 141, a State shall prepare and submit,
20 to the Commission, an application at such time, in such
21 manner, and containing such information as the Commis-
22 sion may reasonably require, including—

23 (1) a description of the State administrative plan
24 for the implementation of a program with assistance
25 provided under this subtitle, including such func-

1 tions, if any, that will be carried out by public and
2 private nonprofit organizations pursuant to a grant or
3 contract;

4 (2) a description of the manner in which an eth-
5 nically and economically diverse group of partici-
6 pants, including economically and educationally dis-
7 advantaged individuals, college-bound youth, indi-
8 viduals with disabilities, youth in foster care who are
9 becoming too old for foster care, and employed indi-
10 viduals, shall be recruited and selected for participa-
11 tion in a program receiving assistance under this
12 subtitle;

13 (3) a description of the procedures for training
14 supervisors and participants and for supervising and
15 organizing participants in such program;

16 (4) a description of the procedures to ensure
17 that the program provides participants with an oppor-
18 tunity to reflect on their service experience;

19 (5) a description of the geographical areas
20 within such State in which the program would be op-
21 erated to provide the optimum match between the
22 need for services and the anticipated supply of par-
23 ticipants;

1 (6) a description of the plan for placing such
2 participants in teams or making individual place-
3 ments in such program;

4 (7) assurances that, prior to such placement, the
5 State will consult with any local labor organization
6 representing employees in the area who are engaged
7 in the same or similar work as that proposed to be
8 carried out by such program;

9 (8) assurances that, prior to such placement,
10 such State will consult with employees at the pro-
11 posed project site who are engaged in the same or
12 similar work as that proposed to be carried out by
13 such program;

14 (9) a description of the anticipated number of
15 full- and part-time participants and special senior
16 service members in such program;

17 (10) a plan for the recruitment and selection of
18 sponsoring organizations that will receive partici-
19 pants under programs that receive assistance under
20 this subtitle;

21 (11) a description of the procedures for match-
22 ing such participants with such sponsoring organiza-
23 tions;

24 (12) a description of the procedures to be used
25 to assure that sponsoring organizations that are not

1 matched with participants shall be provided with in-
2 formation concerning the VISTA program and the
3 programs established under title II of the Domestic
4 Volunteer Service Act of 1973 (42 U.S.C. 5001 et
5 seq.);

6 (13) the State budget for the program;

7 (14) a plan for evaluating the program and as-
8 surances that such State will fully cooperate with
9 any evaluation undertaken by the Commission pursu-
10 ant to section 178; and

11 (15) any other information as the Commission
12 may reasonably require.

13 (g) NUMBER OF STATES.—

14 (1) IN GENERAL.—The Commission shall ensure
15 that not more than five States are authorized to oper-
16 ate full-time programs and not more than five States
17 are authorized to operate part-time programs in fiscal
18 year 1991 under this subtitle.

19 (2) SINGLE PROGRAM.—For purposes of para-
20 graph (1), a State operating a single national service
21 program with both full- and part-time options shall
22 be counted as a State operating a full-time program
23 and a State operating a part-time program.

24 (3) COOPERATIVE ARRANGEMENT.—For purposes
25 of paragraph (1), a State operating a national service

1 program involving a cooperative arrangement with a
2 multi-State organization or with sites in more than
3 one State shall be counted as a single State.

4 (4) AUTHORIZED PROGRAMS IN FISCAL YEAR
5 1991.—The Commission shall ensure that not more
6 than eight States are authorized to operate programs
7 in fiscal year 1991 under this subtitle.

8 (h) INDIAN TRIBES.—An Indian tribe shall be treated
9 the same as a State for purposes of making grants under
10 this subtitle.

11 SEC. 143. TYPES OF NATIONAL SERVICE.

12 A participant in a program that receives assistance
13 under this subtitle shall perform national service to meet
14 unmet educational, human, environmental, and public
15 safety needs, especially those needs relating to poverty.

16 SEC. 144. TERMS OF SERVICE.

17 (a) LENGTH OF SERVICE.—

18 (1) PART-TIME.—An individual performing part-
19 time national service under this subtitle shall agree
20 to perform community service for not less than 3
21 years.

22 (2) FULL-TIME.—An individual performing full-
23 time national service under this subtitle shall agree
24 to perform community service for not less than 1

1 year nor more than 2 years, at the discretion of such
2 individual.

3 (3) SPECIAL SENIOR SERVICE.—A special senior
4 service participant performing national service under
5 this subtitle shall serve for a period of time as deter-
6 mined by the Commission.

7 (b) PARTIAL COMPLETION OF SERVICE.—If the State re-
8 leases a participant from completing a term of service in a
9 program receiving assistance under this subtitle for com-
10 pelling personal circumstances as demonstrated by such
11 participant, the Commission may provide such participant
12 with that portion of the financial assistance described in
13 section 146 that corresponds to the quantity of the service
14 obligation completed by such individual.

15 (c) TERMS OF SERVICE.—

16 (1) PART-TIME.—A participant performing part-
17 time national service under this subtitle shall serve
18 for—

19 (A) 2 weekends each month and 2 weeks
20 during the year; or

21 (B) an average of 9 hours per week each
22 year of service.

23 (2) FULL-TIME.—A participant performing full-
24 time national service under this subtitle shall serve

1 for not less than 40 hours per week each year of
2 service.

3 (3) SPECIAL SENIOR SERVICE.—A special senior
4 service participant performing national service under
5 this subtitle shall serve either part- or full-time as
6 permitted by the Commission.

7 SEC. 145. ELIGIBILITY.

8 (a) PART-TIME.—

9 (1) REQUIREMENTS.—An individual may serve in
10 a part-time national service program under this sub-
11 title if such individual—

12 (A) is 17 years of age or older; and

13 (B) is a citizen of the United States or law-
14 fully admitted for permanent residence.

15 (2) PRIORITY.—In selecting applicants for a part-
16 time program, States shall give priority to applicants
17 who are currently employed.

18 (b) FULL-TIME.—An individual may serve in a full-
19 time national service program under this subtitle if such
20 individual—

21 (1) is 17 years of age or older;

22 (2) has received a high school diploma or the
23 equivalent of such diploma, or agrees to achieve a
24 high school diploma or the equivalent of such diplo-
25 ma while participating in the program; and

1 (3) is a citizen of the United States or lawfully
2 admitted for permanent residence.

3 (c) SPECIAL SENIOR SERVICE.—An individual may
4 serve as a special senior service member under this subtitle
5 if such individual—

6 (1) is 60 years of age or older; and

7 (2) meets the eligibility criteria for special
8 senior service membership established by the Com-
9 mission.

10 SEC. 146. POST—SERVICE BENEFITS.

11 (a) PART-TIME.—

12 (1) FEDERAL SHARE.—The Commission shall an-
13 nually provide to each part-time participant a non-
14 transferrable post-service benefit that is equal in
15 value to \$1,000 for each year of service that such
16 participant provides to the program.

17 (2) STATE SHARE.—

18 (A) IN GENERAL.—The State shall annually
19 provide to each part-time participant a nontrans-
20 ferrable post-service benefit that is equal in
21 value to \$1,000 for each year of service that
22 such participant provides to the program.

23 (B) WAIVER.—A State may apply for a
24 waiver to reduce the amount of the post-service
25 benefit to an amount that is equal to not less

1 than the average annual tuition and required
2 fees at 4-year public institutions of higher edu-
3 cation within such State.

4 (3) CONSTRUCTION.—Nothing in this subsection
5 shall be construed to prevent a State from using
6 funds made available from non-Federal sources to
7 increase the amount of post-service benefits provided
8 under paragraph (1) to an amount in excess of that
9 described in such paragraph.

10 (b) FULL-TIME.—

11 (1) FEDERAL SHARE.—The Commission shall an-
12 nually provide to each full-time participant a non-
13 transferrable post-service benefit that is equal in
14 value to \$2,500 for each year of service that such
15 participant provides to the program.

16 (2) STATE SHARE.—

17 (A) IN GENERAL.—The State shall annually
18 provide to each full-time participant a a non-
19 transferrable post-service benefit that is equal in
20 value to \$2,500 for each year of service that
21 such participant provides to the program.

22 (B) WAIVER.—A State may apply for a
23 waiver to reduce the amount of the post-service
24 benefit to an amount that is equal to not less
25 than the average annual tuition, required fees,

1 and room and board costs at 4-year public insti-
2 tutions of higher education within such State.

3 (3) CONSTRUCTION.—Nothing in this subsection
4 shall be construed to prevent a State from using
5 funds made available from non-Federal sources to
6 increase the amount of post-service benefits provided
7 under paragraph (1) to an amount in excess of that
8 described in such paragraph.

9 (c) SPECIAL SENIOR SERVICE PARTICIPANT.—A special
10 senior service participant shall be ineligible to receive
11 post-service benefits under this section.

12 (d) INDEXING.—The Commission shall increase the
13 value of post-service benefits provided under this section
14 in each fiscal year based on the increase in the costs asso-
15 ciated with attending a 4-year institution of higher educa-
16 tion during that fiscal year. The Commission shall deter-
17 mine such increases in costs based on information made
18 available by the Bureau of Labor Statistics and the Nation-
19 al Center for Education Statistics.

20 (e) POST-SERVICE BENEFIT.—

21 (1) PART-TIME.—A post-service benefit provided
22 under subsection (a) shall only be used for—

23 (A) payment of a student loan from Feder-
24 al or non-Federal sources;

1 (B) downpayment or closing costs associat-
2 ed with purchasing a first home; or

3 (C) tuition at an institution of higher edu-
4 cation on a full-time basis, or to pay the ex-
5 penses incurred in the full-time participation in
6 an apprenticeship program approved by the ap-
7 propriate State agency.

8 (2) FULL-TIME.—A post-service provided under
9 subsection (b) shall only be used for—

10 (A) payment of a student loan from Feder-
11 al or non-Federal sources; or

12 (B) tuition, room and board, books and
13 fees, and other costs associated with attendance
14 (pursuant to section 472 of the Higher Educa-
15 tion Act of 1965 (20 U.S.C. 108711)) at an insti-
16 tution of higher education on a full-time basis,
17 or to pay the expenses incurred in the full-time
18 participation in an apprenticeship program ap-
19 proved by the appropriate State agency.

20 **SEC. 147. LIVING ALLOWANCE.**

21 (a) FULL-TIME SERVICE.—

22 (1) IN GENERAL.—From assistance provided
23 under this subtitle, each participant in a full-time na-
24 tional service program receiving assistance under this
25 subtitle shall receive a living allowance of not more

1 than an amount equal to 100 percent of the poverty
2 line for a family of two (as defined in section 673(2)
3 of the Community Services Block Grant Act (42
4 U.S.C. 9902(2))).

5 (2) NON-FEDERAL SOURCES.—Notwithstanding
6 paragraph (1), a program agency may provide par-
7 ticipants with additional amounts that are made
8 available from non-Federal sources.

9 (b) REDUCTION IN EXISTING PROGRAM BENEFITS.—
10 Nothing in this section shall be construed to require a pro-
11 gram in existence on the date of enactment of this Act to
12 decrease any stipends, salaries, or living allowances pro-
13 vided to participants under such program.

14 (c) HEALTH INSURANCE.—In addition to the living al-
15 lowance provided under subsection (a), grantees are en-
16 couraged to provide health insurance to each participant in
17 a full-time national service program who does not other-
18 wise have access to health insurance.

19 (d) SPECIAL SENIOR SERVICE PARTICIPANT.—

20 (1) FULL-TIME.—Each full-time special senior
21 service participant shall receive a living allowance
22 equal to the living allowance provided to full-time
23 participants under subsection (a), and such other as-
24 sistance as the Commission considers necessary and

1 appropriate for a special senior service participant to
2 carry out the service obligation of such participant.

3 (2) PART-TIME.—Each part-time special senior
4 service participant shall receive a living allowance
5 equal to a share of such allowance offered to a full-
6 time special senior service participant under para-
7 graph (1), that has been prorated according to the
8 number of hours such part-time participant serves in
9 the program, and such other assistance that the Com-
10 mission considers necessary and appropriate for a
11 special senior service participant to carry out the
12 service obligation of such participant.

13 SEC. 148. TRAINING.

14 (a) PROGRAM TRAINING.—

15 (1) IN GENERAL.—Each participant shall receive
16 3 weeks of training provided by the Commission in
17 cooperation with the State.

18 (2) CONTENTS OF TRAINING SESSION.—Each train-
19 ing session described in paragraph (1) shall—

20 (A) orient each participant in the nature,
21 philosophy, and purpose of the program;

22 (B) build an ethic of community service;

23 and

1 (C) train each participant to effectively per-
2 form the assigned program task of such partici-
3 pant by providing—

4 (i) general training in citizenship and
5 civic and community service; and

6 (ii) if feasible, specialized training for
7 the type of service that each participant
8 will perform.

9 (b) ADDITIONAL TRAINING.—Each State may provide
10 additional training for participants as such State determines
11 necessary.

12 (c) AGENCY OR ORGANIZATION TRAINING.—Each par-
13 ticipant shall receive training from the sponsoring organi-
14 zation in skills relevant to the work to be conducted.

15 (d) ACCOMMODATIONS FOR INDIVIDUALS WITH DIS-
16 ABILITIES.—In accordance with the nondiscrimination pro-
17 visions of section 175, each training program shall provide
18 reasonable accommodations for individuals with disabil-
19 ities.

20 **SEC. 149. PUBLIC-PRIVATE PARTNERSHIP.**

21 The Commission shall consider and develop opportu-
22 nities for cooperation between public and private entities
23 in the funding and implementation of a program receiving
24 assistance under this subtitle, including cost-sharing ar-
25 rangements with sponsoring organizations.

1 **SEC. 150. IN-SERVICE EDUCATION BENEFITS.**

2 Each State that receives assistance under this subtitle
3 shall provide to each participant enrolled in a full-time
4 program in-service educational services and materials to
5 enable such participant to obtain a high school diploma or
6 the equivalent of such diploma.

7 **Subtitle E—Innovative and Demonstration**
8 **Programs and Projects**

9 **PART I—LIMITATION ON GRANTS**

10 **SEC. 155. LIMITATION ON GRANTS.**

11 The Commission shall make grants for not fewer than
12 three programs authorized in this subtitle.

13 **PART II—GOVERNORS' INNOVATIVE SERVICE**
14 **PROGRAMS**

15 **SEC. 156. GENERAL AUTHORITY.**

16 The Commission may make grants under section 102
17 to States or Indians tribes for the creation of innovative
18 volunteer and community service programs.

19 **SEC. 157. GRANTS.**

20 (a) **CRITERIA FOR RECEIVING APPLICATIONS.**—In deter-
21 mining whether to award a grant under section 156, the
22 Commission shall consider—

23 (1) the ability of the proposed program to serve
24 as an effective model;

25 (2) the quality of the application submitted for
26 the grant;

1 (3) the extent to which the proposed program
2 builds on existing programs; and

3 (4) the degree to which the program responds to
4 human, educational, environmental and public safety
5 needs in an innovative manner.

6 (b) AUTHORIZED ACTIVITIES.—Grants under this part
7 may be used for—

8 (1) enhancing volunteer and community service
9 programs;

10 (2) demonstration programs;

11 (3) research concerning, assessment of, and
12 evaluation of service programs;

13 (4) coordination of service programs;

14 (5) technical assistance;

15 (6) training and staff development; and

16 (7) collection and dissemination of information
17 concerning service programs.

18 (c) APPLICATION FOR GRANT.—To receive a grant
19 under this part, a State or Indian tribe shall prepare and
20 submit to the Commission, an application at such time, in
21 such manner, and containing such information as the Com-
22 mission may reasonably require, including—

23 (1) a description of the proposed program to be
24 established with assistance provided under the grant;

1 (2) a description of the human, educational, en-
2 vironmental or public safety service that participants
3 will perform and the State or community need that
4 will be addressed under such proposed program;

5 (3) a description of the target population of par-
6 ticipants and how they will be recruited;

7 (4) a description of the procedure for training
8 supervisors and participants and for supervising and
9 organizing participants in such proposed program;

10 (5) a description of the procedures to ensure
11 that the proposed program provides participants with
12 an opportunity to reflect on their service experiences;

13 (6) a description of the budget for the program;

14 (7) assurances that, prior to the placement of a
15 participant in the program, the applicant will consult
16 with any local labor organization representing em-
17 ployees in the area who are engaged in the same or
18 similar work as that proposed to be carried out by
19 such project; and

20 (8) assurances that, prior to the placement of a
21 participant in a program, the applicant will consult
22 with employees at the proposed program site who
23 are engaged in the same or similar work as that pro-
24 posed to be carried out by such program.

1 **PART III—PEACE CORPS**

2 **SEC. 160. PROGRAM AUTHORIZED.**

3 (a) **GENERAL AUTHORITY.**—The Commission is au-
4 thorized to make grants to the Director of the Peace Corps
5 or the Director of ACTION to carry out training and edu-
6 cational benefits demonstration programs in accordance
7 with this part.

8 (b) **CONTRACT AUTHORITY.**—The Director of the
9 Peace Corps and the Director of ACTION are authorized,
10 either directly or by way of grant, contract, or other ar-
11 rangement, to carry out the provisions of this part. The
12 authority to enter into contracts under this part shall be
13 effective for any fiscal year only to such extent or in such
14 amounts as are provided in appropriations Acts.

15 **SEC. 161. ELIGIBILITY AND SELECTION PROCEDURES.**

16 (a) **ELIGIBILITY.**—Any individual who—

17 (1) has completed at least 2 years of satisfactory
18 study at an institution of higher education, is en-
19 rolled in an educational program of at least 4 years
20 at an institution of higher education for which such
21 institution awards a bachelor's degree, and will com-
22 plete such program within 2 years;

23 (2) enters into an agreement with the Director
24 of the Peace Corps or the Director of ACTION to
25 serve at least 3 years as a volunteer in the Peace
26 Corps or in VISTA; and

1 (3) is selected pursuant to the competitive proc-
2 ess established under subsection (b);

3 is eligible to participate in the demonstration program au-
4 thorized by this part.

5 (b) SELECTION PROCEDURES.—The Director of the
6 Peace Corps and the Director of ACTION shall each estab-
7 lish uniform criteria for the selection on a competitive
8 basis of individuals to participate in the training programs
9 established under section 162 and to receive educational
10 benefits under section 163. The selection procedures estab-
11 lished under this section shall be designed to provide for
12 the awarding of grants for benefits only to students from
13 groups traditionally underrepresented in the Peace Corps
14 or VISTA and to students who will specialize in courses of
15 instruction for which there is a special need in the Peace
16 Corps or VISTA. Not more than 50 individuals shall be
17 selected to participate in the training programs established
18 under section 162.

19 SEC. 162. TRAINING PROGRAM.

20 The Director of the Peace Corps and the Director of
21 ACTION shall each establish and carry out a training pro-
22 gram under which each individual selected under section
23 161(b), as part of the course of study which the individual
24 is pursuing at the institution of higher education of such

1 individual, receives appropriate training in skills that such
2 individual will employ in the Peace Corps or VISTA.

3 **SEC. 163. EDUCATIONAL BENEFITS.**

4 (a) **BENEFITS PROVIDED.**—Each individual who has
5 been selected under section 161(b) shall be eligible to re-
6 ceive educational benefits in an amount that the Director
7 of the Peace Corps or the Director of ACTION finds rea-
8 sonable and appropriate, but that shall not exceed the costs
9 of tuition, room and board, books, and fees that the indi-
10 vidual incurs in attending the institution of higher educa-
11 tion of such individual during the remaining 2 years of the
12 educational program in which the individual is enrolled.

13 (b) **FORM OF BENEFITS.**—The educational benefits pro-
14 vided to an individual under subsection (a) shall be in the
15 form of grants, remissions of expenses, or such other form
16 as the Director of the Peace Corps or the Director of
17 ACTION considers appropriate.

18 (c) **REPAYMENT OF BENEFITS.**—An individual provided
19 benefits under subsection (a) shall repay the amount of the
20 benefits so provided, plus interest not to exceed that per-
21 mitted under section 427A of the Higher Education Act of
22 1965 (20 U.S.C. 1077a)—

23 (1) if the individual fails to complete the educa-
24 tional program of such individual within the 2-year
25 period specified in section 161(a)(1), or

1 (2) if the individual fails to serve 3 years as a
2 volunteer in the Peace Corps or VISTA upon com-
3 pleting the educational program of such individual.

4 The Director of the Peace Corps or the Director of
5 ACTION may waive the repayment requirement if excep-
6 tional circumstances, such as illness or death, prevent an
7 individual from meeting such 2-year or 3-year require-
8 ment.

9 (d) COLLECTION BY SECRETARY OF EDUCATION.—The
10 Secretary of Education shall have the authority to collect
11 amounts owed by an individual under subsection (c). The
12 Secretary may, for the purpose of collecting such amounts,
13 exercise the authorities conferred on the Secretary by sec-
14 tions 467 and 468 of the Higher Education Act of 1965 (20
15 U.S.C. 1087gg and 1087hh) with respect to the collection
16 of defaulted loans under part E of title IV of that Act.
17 Amounts collected under this subsection shall be deposited
18 in the general fund of the Treasury.

19 SEC. 164. EVALUATION AND REPORT.

20 The General Accounting Office shall conduct an eval-
21 uation of any program authorized by this part and shall
22 prepare and submit to the President and the appropriate
23 committees of Congress—

24 (1) not later than October 31, 1993, an interim
25 report on such evaluation; and

1 (2) not later than October 31, 1995, a final
2 report on such evaluation, together with such recom-
3 mendations, including recommendations for legisla-
4 tion, as the Director of the Peace Corps, the Director
5 of ACTION, and the Secretary consider appropriate.

6 **PART IV—OTHER VOLUNTEER PROGRAMS**

7 **SEC. 165. RURAL YOUTH SERVICE DEMONSTRATION PROJECT.**

8 The Commission is authorized, in accordance with
9 this subtitle, to make grants and enter into contracts under
10 section 102 for the establishment of demonstration projects
11 in rural areas. Such projects may include volunteer service
12 involving the elderly and assisted-living services per-
13 formed by students, school dropouts, and out-of-school
14 youth.

15 **SEC. 166. ASSISTANCE FOR HEAD START.**

16 The Commission, in consultation with the Director of
17 Action, is authorized to make grants under section 102 to
18 grantees under the Foster Grandparent program (part B of
19 title II of the Domestic Volunteer Service Act) for the pur-
20 pose of increasing the number of low-income individuals
21 who provide services under such program to children who
22 participate in Head Start programs.

23 **SEC. 167. EMPLOYER-BASED RETIREE VOLUNTEER PROGRAMS.**

24 The Commission is authorized to make grants under
25 section 102 to public and private nonprofit organizations

1 for the purpose of bringing together retirees, their former
2 employers, and community agencies to develop employer-
3 based retiree volunteer programs.

4 **Subtitle F—Administrative Provisions**

5 **SEC. 171. LIMITATION ON NUMBER OF GRANTS.**

6 (a) **IN GENERAL.**—The Commission shall not award
7 more than one grant during each fiscal year to each State
8 under section 102.

9 (b) **NUMBER OF APPLICATIONS.**—In submitting applica-
10 tions for a grant under section 102, a State shall consoli-
11 date all of the applications of such State for the conduct of
12 programs under subtitles B through E, into a single appli-
13 cation that meets the requirements of such subtitles.

14 (c) **MULTIPLE USE.**—A grant awarded under section
15 102 to a State may be used by the State in accordance with
16 the applications consolidated, submitted, and approved
17 under subtitles (B) through (E).

18 **SEC. 172. REPORTS.**

19 (a) **STATE REPORTS.**—

20 (1) **IN GENERAL.**—Each State receiving assist-
21 ance under this title shall prepare and submit, to the
22 Commission, an annual report concerning the use of
23 assistance provided under this title and the status of
24 the national and community service programs that
25 receive assistance under such title in such State.

1 (2) LOCAL GRANTEES.—Each State may require
2 local grantees that receive assistance under this title
3 to supply such information to the State as is neces-
4 sary to enable the State to complete the report re-
5 quired under paragraph (1), including a comparison
6 of actual accomplishments with the goals established
7 for the program, the number of participants in the
8 program, the number of service hours generated, and
9 the existence of any problems, delays or adverse
10 conditions that have affected or will affect the attain-
11 ment of program goals.

12 (3) REPORT DEMONSTRATING COMPLIANCE.—

13 (A) IN GENERAL.—Each State receiving as-
14 sistance under this title shall include informa-
15 tion in the report required under paragraph (1)
16 that demonstrates the compliance of the State
17 with the provisions of this Act, including sec-
18 tions 177 and 113(9).

19 (B) LOCAL GRANTEES.—Each State may re-
20 quire local grantees to supply such information
21 to the State as is necessary to enable the State
22 to comply with the requirement of paragraph
23 (1).

1 (4) AVAILABILITY OF REPORT.—Reports submit-
2 ted under paragraph (1) shall be made available to
3 the public on request.

4 (b) REPORT TO CONGRESS.—

5 (1) IN GENERAL.—Not later than 120 days after
6 the end of each fiscal year, the Commission shall
7 prepare and submit, to the appropriate authorizing
8 and appropriation Committees of Congress, a report
9 concerning the programs that receive assistance
10 under this title.

11 (2) CONTENT.—Reports submitted under para-
12 graph (1) shall contain a summary of the information
13 contained in the State reports submitted under sub-
14 section (a), and shall reflect the findings and actions
15 taken as a result of any evaluation conducted by the
16 Commission.

17 SEC. 173. SUPPLEMENTATION.

18 (a) IN GENERAL.—Assistance provided under this title
19 shall be used to supplement the level of State and local
20 public funds expended for services of the type assisted
21 under this title in the previous fiscal year.

22 (b) AGGREGATE EXPENDITURE.—Subsection (a) shall
23 be satisfied, with respect to a particular program, if the
24 aggregate expenditure for such program for the fiscal year
25 in which services are to be provided will not be less than

1 the aggregate expenditure for such program in the previous
2 fiscal year, excluding the amount of Federal assistance
3 provided and any other amounts used to pay the remainder
4 of the costs of programs assisted under this title.

5 **SEC. 174. PROHIBITION ON USE OF FUNDS.**

6 (a) **PROHIBITED USES.**—No assistance made available
7 under a grant under this title shall be used to provide reli-
8 gious instruction, conduct worship services, or engage in
9 any form of proselytization.

10 (b) **POLITICAL ACTIVITY.**—Assistance provided under
11 this title shall not be used by program participants and pro-
12 gram staff to—

13 (1) assist, promote, or deter union organizing;

14 or

15 (2) finance, directly or indirectly, any activity
16 designed to influence the outcome of an election to
17 Federal office or the outcome of an election to a
18 State or local public office.

19 (c) **CONTRACTS OR COLLECTIVE BARGAINING AGREE-**
20 **MENTS.**—A program that receives assistance under this title
21 shall not impair existing contracts for services or collective
22 bargaining agreements.

23 **SEC. 175. NONDISCRIMINATION.**

24 (a) **IN GENERAL.**—An individual with responsibility
25 for the operation of a project that receives assistance under

1 this title shall not discriminate against a participant or
2 member of the staff of such project on the basis of race,
3 color, national origin, sex, age, disability, or political af-
4 filiation of such member.

5 (b) FEDERAL FINANCIAL ASSISTANCE.—Any assistance
6 provided under this title shall constitute Federal financial
7 assistance for purposes of title VI of the Civil Rights Act
8 of 1964 (42 U.S.C. 2000d et seq.), title IX of the Educa-
9 tion Amendments of 1972 (20 U.S.C. 1681 et seq.), the
10 Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the
11 Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.),
12 and the regulations issued under such Acts.

13 (c) RELIGIOUS DISCRIMINATION.—

14 (1) IN GENERAL.—Except as provided in para-
15 graph (2), an individual with responsibility for the
16 operation of a project that receives assistance under
17 this title shall not discriminate on the basis of reli-
18 gion against a participant or a member of the project
19 staff who is paid with funds received under this title.

20 (2) EXCEPTION.—Paragraph (1) shall not apply
21 to the employment, with assistance provided under
22 this title, of any member of the staff of a project that
23 receives assistance under this title who was em-
24 ployed with the organization operating the project on
25 the date the grant under this title was awarded.

1 (d) RULES AND REGULATIONS.—The Commission shall
2 promulgate rules and regulations to provide for the en-
3 forcement of this section that shall include provisions for
4 summary suspension of assistance for not more than 30
5 days, on an emergency basis, until notice and an opportu-
6 nity to be heard can be provided.

7 SEC. 176. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

8 (a) IN GENERAL.—

9 (1) SUSPENSION OF PAYMENTS.—The Commis-
10 sion may in accordance with the provisions of this
11 title, suspend or terminate payments under a contract
12 or grant providing assistance under this title when-
13 ever the Commission determines there is a material
14 failure to comply with this title or the applicable
15 terms and conditions of any such grant or contract
16 issued pursuant to this title.

17 (2) PROCEDURES TO ENSURE ASSISTANCE.—The
18 Commission shall prescribe procedures to ensure
19 that—

20 (A) assistance provided under this title
21 shall not be suspended for failure to comply
22 with the applicable terms and conditions of this
23 title except, in emergency situations, a suspen-
24 sion may be granted for 30 days; and

1 (B) assistance provided under this title
2 shall not be terminated for failure to comply
3 with applicable terms and conditions of this title
4 unless the recipient of such assistance has been
5 afforded reasonable notice and opportunity for a
6 full and fair hearing.

7 (b) HEARINGS.—Hearings or other meetings that may
8 be necessary to fulfill the requirements of this section shall
9 be held at locations convenient to the recipient of assist-
10 ance under this title.

11 (c) TRANSCRIPT OR RECORDING.—A transcript or re-
12 cording shall be made of a hearing conducted under this
13 section and shall be available for inspection by any indi-
14 vidual.

15 (d) STATE LEGISLATION.—Nothing in this title shall be
16 construed to preclude the enactment of State legislation
17 providing for the implementation, consistent with this title,
18 of the programs administered under this title.

19 (e) CONSTRUCTION.—Nothing in this title shall be con-
20 strued to link performance of service with receipt of Feder-
21 al student financial assistance.

22 (f) GRIEVANCE PROCEDURE—

23 (1) IN GENERAL.—State and local applicants that
24 receive assistance under this title shall establish and
25 maintain a procedure to adjudicate grievances from

1 participants, labor organizations, and other interested
2 individuals concerning programs that receive assist-
3 ance under this title, including grievances regarding
4 proposed placements of such participants in such
5 projects.

6 (2) DEADLINE FOR GRIEVANCES.—Except for a
7 grievance that alleges fraud or criminal activity, a
8 grievance shall be made not later than 1 year after
9 the date of the alleged occurrence.

10 (3) DEADLINE FOR HEARING AND DECISION.—

11 (A) HEARING.—A hearing on any grievance
12 conducted under this subsection shall be con-
13 ducted not later than 30 days of filing such
14 grievance.

15 (B) DECISION.—A decision on any griev-
16 ance shall be made not later than 60 days after
17 the filing of such grievance.

18 (4) ARBITRATION.—

19 (A) IN GENERAL.—On the occurrence of an
20 adverse grievance decision, or 60 days after the
21 filing of such grievance if no decision has been
22 reached, the party filing the grievance shall be
23 permitted to submit such grievance to binding
24 arbitration before a qualified arbitrator who is

1 jointly selected and independent of the interest-
2 ed parties.

3 (B) DEADLINE FOR PROCEEDING.—An arbi-
4 tration proceeding shall be held not later than
5 45 days after the request for such arbitration.

6 (C) DEADLINE FOR DECISION.—A decision
7 concerning such grievance shall be made not
8 later than 30 days after the date of such arbitra-
9 tion proceeding.

10 (D) COST.—The cost of such arbitration
11 proceeding shall be divided evenly between the
12 parties to the arbitration.

13 (5) PROPOSED PLACEMENT.—If a grievance is
14 filed regarding a proposed placement of a participant
15 in a program that receives assistance under this title,
16 such placement shall not be made unless it is con-
17 sistent with the resolution of the grievance pursuant
18 to this subsection.

19 (6) REMEDIES.—Remedies for a grievance filed
20 under this subsection include—

21 (A) suspension of payments for assistance
22 under this title;

23 (B) termination of such payments; and

24 (C) prohibition of such placement de-
25 scribed in paragraph (5).

1 SEC. 177. NONDUPLICATION AND NONDISPLACEMENT.

2 (a) NONDUPLICATION.—

3 (1) IN GENERAL.—Assistance provided under
4 this title shall be used only for a program that does
5 not duplicate, and is in addition to, an activity other-
6 wise available in the locality of such program.

7 (2) PRIVATE NONPROFIT ENTITY.—Assistance
8 made available under this title shall not be provided
9 to a private nonprofit entity to conduct activities that
10 are the same or substantially equivalent to activities
11 provided by a State or local government agency that
12 such entity resides in, unless the requirements of
13 subsection (b) are met.

14 (b) NONDISPLACEMENT.—

15 (1) IN GENERAL.—An employer shall not dis-
16 place an employee or position, including partial dis-
17 placement such as reduction in hours, wages, or em-
18 ployment benefits, as a result of the use by such em-
19 ployer of a participant in a program receiving assist-
20 ance under this title.

21 (2) SERVICE OPPORTUNITIES.—A service opportu-
22 nity shall not be created under this title that will in-
23 fringe in any manner on the promotional opportunity
24 of an employed individual.

25 (3) LIMITATION ON SERVICES.—

1 (A) DUPLICATION OF SERVICES.—A partici-
2 pant in a program receiving assistance under
3 this title shall not perform any services or duties
4 or engage in activities that would otherwise be
5 performed by an employee as part of the as-
6 signed duties of such employee.

7 (B) SUPPLANTATION OF HIRING.—A partici-
8 pant in any program receiving assistance under
9 this title shall not perform any services or duties
10 or engage in activities that will supplant the
11 hiring of employed workers.

12 (C) DUTIES FORMERLY PERFORMED BY AN-
13 OTHER EMPLOYEE.—A participant in any pro-
14 gram receiving assistance under this title shall
15 not perform services or duties that have been
16 performed by or were assigned to any—

17 (i) presently employed worker;

18 (ii) employee who recently resigned or
19 was discharged;

20 (iii) employee who is subject to a re-
21 duction in force;

22 (iv) employee who is on leave (termi-
23 nal, temporary, vacation, emergency, or
24 sick); or

1 (v) employee who is on strike or who
2 is being locked out.

3 (c) LABOR MARKET INFORMATION.—The Secretary of
4 Labor shall make available to the Commission and to any
5 program agency under this title such labor market informa-
6 tion as is appropriate for use in carrying out the purposes
7 of this title.

8 (d) TREATMENT OF BENEFITS.—Section 142(b) of the
9 Job Training Partnership Act shall apply to the projects
10 conducted under this title as such projects were conducted
11 under the Job Training Partnership Act.

12 (e) STANDARDS OF CONDUCT.—Programs that receive
13 assistance under this title shall establish and stringently en-
14 force standards of conduct at the program site to promote
15 proper moral and disciplinary conditions.

16 SEC. 178. STATE ADVISORY BOARD.

17 (a) FORMATION OF BOARD.—Each State that applies
18 for assistance under this title is encouraged to establish a
19 State Advisory Board for National and Community Serv-
20 ice.

21 (b) MEMBERS.—

22 (1) IN GENERAL.—The chief executive officer of
23 a State referred to in subsection (a) shall appoint
24 members to such Advisory Board from among—

1 (A) representatives of State agencies ad-
2 ministering community service, youth service,
3 education, social service, senior service, and job
4 training programs; and

5 (B) representatives of labor, business,
6 agencies working with youth, community-based
7 organizations such as community action agen-
8 cies; students, teachers, Older American Volun-
9 teen Programs as established under title II of the
10 Domestic Volunteer Act of 1973 (42 U.S.C.
11 5001 et seq.), full-time youth service corps pro-
12 grams, school-based community service pro-
13 grams, higher education institutions, local edu-
14 cational agencies, volunteer public safety orga-
15 nizations, educational partnership programs, and
16 other organizations working with volunteers.

17 (2) BALANCE OF MEMBERSHIP.—To the extent
18 practicable, the chief executive officer of a State re-
19 ferred to in subsection (a) shall ensure that the mem-
20 bership of the Advisory Board is balanced according
21 to race, ethnicity, age, and gender.

22 (c) DUTIES OF BOARD.—A State Advisory Board for
23 National and Community Service established under sub-
24 section (a) shall assist the State agency administering a
25 program receiving assistance under this title in—

1 (1) coordinating programs that receive assist-
2 ance under this title and related programs within the
3 State;

4 (2) disseminating information concerning serv-
5 ice programs that receive assistance under this title;

6 (3) recruiting participants for programs that re-
7 ceive assistance under this title; and

8 (4) developing programs, training methods, cur-
9 riculum materials, and other materials and activities
10 related to programs that receive assistance under this
11 title.

12 SEC. 179. EVALUATION.

13 (a) IN GENERAL.—The Commission shall provide,
14 through grants or contracts, for the continuing evaluation
15 of programs that receive assistance under this title, includ-
16 ing evaluations that measure the impact of such programs,
17 to determine—

18 (1) the effectiveness of various program models
19 in achieving stated goals and the costs associated
20 with such;

21 (2) for purposes of the reports required by sub-
22 section (h), the impact of such programs, in each
23 State in which a program is conducted, on the ability
24 of—

1 (A) the VISTA and older American volun-
2 teer programs (established under the Domestic
3 Volunteer Services Act of 1973 (42 U.S.C.
4 4950 et seq.));

5 (B) each regular component of the armed
6 forces (as defined in section 101(4) of title 10,
7 United States Code);

8 (C) each of the reserve components of the
9 armed forces (as described in section 216(a) of
10 title 5, United States Code); and

11 (D) the Peace Corps (as established by the
12 Peace Corps Act (22 U.S.C. 2501 et seq.));

13 to recruit individuals residing in such State to serve
14 in such program; and

15 (3) the structure and mechanisms for delivery of
16 services for such programs.

17 (b) COMPARISONS.—The Commission shall provide
18 for inclusion in the evaluations required under subsection
19 (a), where appropriate, comparisons of participants in such
20 programs with individuals who have not participated in
21 such programs.

22 (c) CONDUCTING EVALUATIONS.—Evaluations of pro-
23 grams under subsection (a) shall be conducted by individ-
24 uals who are not directly involved in the administration of
25 such program.

1 (d) STANDARDS.—The Secretary shall develop and
2 publish general standards for the evaluation of program ef-
3 fectiveness in achieving the objectives of this title.

4 (e) COMMUNITY PARTICIPATION.—In evaluating a pro-
5 gram receiving assistance under this title, the Commission
6 shall consider the opinions of participants and members of
7 the communities where services are delivered concerning
8 the strengths and weaknesses of such program.

9 (f) COMPARISON OF PROGRAM MODELS.—The Com-
10 mission shall evaluate and compare the effectiveness of
11 different program models in meeting the program objec-
12 tives described in subsection (g) including full- and part-
13 time programs, programs involving different types of na-
14 tional service, programs using different recruitment meth-
15 ods, programs offering alternative voucher options, and
16 programs utilizing individual placements and teams.

17 (g) PROGRAM OBJECTIVES.—The Commission shall
18 ensure that programs that receive assistance under subtitle
19 D are evaluated to determine their effectiveness in—

20 (1) recruiting and enrolling diverse participants
21 in such programs, consistent with the requirements
22 of section 145, based on economic background, race,
23 ethnicity, age, marital status, education levels, and
24 disability;

1 (2) promoting the educational achievement of
2 each participant in such programs, based on earning
3 a high school diploma or the equivalent of such di-
4 ploma and the future enrollment and completion of
5 increasingly higher levels of education;

6 (3) encouraging each participant to engage in
7 public and community service after completion of
8 the program based on career choices and service in
9 other service programs such as the Volunteers in
10 Service to America Program and older American
11 volunteer programs established under the Domestic
12 Volunteer Service Act of 1973 (42 U.S.C. 4950 et
13 seq.), the Peace Corps (as established by the Peace
14 Corps Act (22 U.S.C. 2501 et seq.)), the military,
15 and part-time volunteer service;

16 (4) promoting of positive attitudes among each
17 participant regarding the role of such participant in
18 solving community problems based on the view of
19 such participant regarding the personal capacity of
20 such participant to improve the lives of others, the
21 responsibilities of such participant as a citizen and
22 community member, and other factors;

23 (5) enabling each participant to finance a lesser
24 portion of the higher education of such participant
25 through student loans;

1 (6) providing services and projects that benefit
2 the community;

3 (7) supplying additional volunteer assistance to
4 community agencies without overloading such agen-
5 cies with more volunteers than can effectively be uti-
6 lized;

7 (8) providing services and activities that could
8 not otherwise be performed by employed workers
9 and that will not supplant the hiring of, or result in
10 the displacement of, employed workers or impair the
11 existing contracts of such workers; and

12 (9) attracting a greater number of citizens to
13 public service, including service in the active and re-
14 serve components of the Armed Forces, the National
15 Guard, the Peace Corps (as established by the Peace
16 Corps Act (22 U.S.C. 2501 et seq.)), and the VISTA
17 and older American volunteer programs established
18 under the Domestic Volunteer Service Act of 1973
19 (42 U.S.C. 4950 et seq.).

20 (h) OBTAINING INFORMATION.—

21 (1) IN GENERAL.—In conducting the evaluations
22 required under subsection (g), the Commission may
23 require each program participant and State or local
24 applicant to provide such information as may be nec-
25 essary to carry out the requirements of this section.

1 (2) CONFIDENTIALITY.—The Commission shall
2 keep information acquired under this section confi-
3 dential.

4 (i) DEADLINE.—The Commission shall complete the
5 evaluations required under subsection (g) not later than 30
6 months after the date of enactment of this Act.

7 (j) REPORT.—Not later than 24 months after the date
8 on which the first program is initiated under this title, the
9 Commission shall prepare and submit, to the appropriate
10 Committees of Congress, a report containing the results of
11 the evaluations conducted under subsection (a)(2) with re-
12 spect to the first 18 months after such initiation date.

13 SEC. 180. ENGAGEMENT OF PARTICIPANTS.

14 A State shall not engage a participant to serve in any
15 program that receives assistance under this title unless and
16 until amounts have been appropriated under section 501
17 for the provision of post-service benefits and for the pay-
18 ment of other necessary expenses and costs associated with
19 such participant.

20 SEC. 181. NATIONAL SERVICE DEMONSTRATION PROGRAM
21 AMENDMENTS.

22 (a) TREATMENT OF EDUCATION AND HOUSING BENE-
23 FITS.—For purposes of determining eligibility for programs
24 under title IV of the Higher Education Act of 1965 (20
25 U.S.C. 1070 et seq.) (hereafter in this section referred to as

1 the "Act"), post-service benefits received under this Act
2 shall be considered as estimated financial assistance as de-
3 fined in section 428(a)(2)(C)(i) of title IV of the Act (20
4 U.S.C. 1078(a)(2)(C)(i)), except that in no case shall such
5 a post-service benefit be considered as—

6 (1) annual adjusted family income as defined in
7 section 411F(1) of subpart 1 of part A of title IV of
8 such Act (20 U.S.C. 1070a-6); or

9 (2) total income as defined in section 480(a) of
10 part F of title IV of such Act (20 U.S.C. 1087vv(a)).

11 (b) TREATMENT OF STIPEND FOR LIVING EXPENSES.—In
12 no case shall living allowances received under this Act be
13 considered in the determination of expected family contri-
14 bution or independent student status under—

15 (1) subpart 1 of part A of title IV of such Act
16 (20 U.S.C. 1070a et seq.); or

17 (2) part F of title IV of such Act (20 U.S.C.
18 1087kk et seq.).

19 (c) CONTINGENT EXTENSION.—Section 414 of the Gen-
20 eral Education Provisions Act (20 U.S.C. 1226a) shall
21 apply to this Act.

22 **SEC. 182. PARTNERSHIPS WITH SCHOOLS.**

23 (a) DESIGN OF PROGRAMS.—The head of each Federal
24 agency and department shall design and implement a com-
25 prehensive strategy to involve employees of such agencies

1 head of each Federal agency and department shall prepare
2 and submit, to the appropriate Committees of Congress, a
3 report concerning the implementation of this section.

4 **SEC. 183. SERVICE AS TUTORS.**

5 Notwithstanding any other provision of this Act, a
6 service opportunity through which a part-time participant
7 serves as a classroom tutor under the supervision of a cer-
8 tified professional shall be considered an acceptable place-
9 ment if the requirements of section 177(b) (1) and (2) and
10 section 174 are met.

11 **SEC. 184. DRUG-FREE WORKPLACE REQUIREMENTS.**

12 All programs receiving grants under this title shall be
13 subject to the Drug-Free Workplace Requirements for Fed-
14 eral Grant Recipients under section 5153 through 5158 of
15 the Anti-Drug Abuse Act of 1988 (41 U.S.C. 702-707).

16 **SEC. 185. CONFORMING AMENDMENTS.**

17 The Higher Education Act of 1965 is amended—

18 (1) in section 411F(9) (20 U.S.C. 1070a-6(9)),
19 by adding at the end thereof the following new sub-
20 paragraph:

21 “(F) Annual adjusted family income does not
22 include any living allowance received by a partici-
23 pant in programs established under the National and
24 Community Service Act of 1990.”;

1 (2) in section 411F(12)(B)(vi) (20 U.S.C.
2 1070a-6(12)(B)(vi)), by striking “(including all
3 sources of resources other than parents)” and insert-
4 ing “(including all sources of resources other than
5 parents and living allowances received as a result of
6 participation in a program established under the Na-
7 tional and Community Service Act of 1990.)”;

8 (3) in section 480(f) (20 U.S.C. 1087vv(f)),
9 by—

10 (A) striking “and” at the end of paragraph

11 (1);

12 (B) by striking the period at the end of
13 paragraph (2) and inserting a semicolon and
14 “and”; and

15 (C) adding at the end thereof the following
16 new paragraph:

17 “(3) any living allowance received by a partici-
18 pant in a program established under the National and
19 Community Service Act of 1990.”; and

20 (4) in section 480(d)(2)(F) (20 U.S.C.
21 1087vv(d)(2)(F)), by inserting after “other than par-
22 ents” “and living allowances as a result of partici-
23 pation in a program established under the National
24 and Community Service Act of 1990)”.

1 **Subtitle G—Commission on National and**
2 **Community Service**

3 SEC. 190. COMMISSION ON NATIONAL AND COMMUNITY SERVICE.

4 (a) ESTABLISHMENT.—There is established a Commis-
5 sion on National and Community Service that shall admin-
6 ister the programs established under this title.

7 (b) BOARD OF DIRECTORS.—

8 (1) COMPOSITION.—

9 (A) IN GENERAL.—The Commission shall
10 be administered by a Board of Directors (here-
11 inafter referred to in this section as the
12 “Board”) that shall be composed of 21 mem-
13 bers, to be appointed by the President with the
14 advice and consent of the Senate, who shall be
15 individuals who have extensive experience in
16 volunteer and service opportunity programs and
17 who represent a broad range of viewpoints. The
18 membership of the Board shall be balanced ac-
19 cording to the race, ethnicity age and gender of
20 its members.

21 (B) EX-OFFICIO MEMBERS.—The Secretary,
22 of Education, Secretary of Health and Human
23 Services, Secretary of Labor, Secretary of Inte-
24 rior, Secretary of Agriculture, and the Director

1 of the ACTION agency shall serve as ex-officio
2 members of the Board.

3 (2) POLITICAL PARTIES.—Not more than 11
4 members of the Board shall belong to the same po-
5 litical party.

6 (3) NOMINATIONS.—Seven members of the
7 Board shall be appointed from among individuals
8 nominated by the Speaker of the House of Repre-
9 sentatives, and seven of such members shall be ap-
10 pointed from among individuals nominated by the
11 majority leader of the Senate.

12 (4) TERMS.—Each member of the Board shall
13 serve for a term of 2 years, except that, subject to
14 the provisions of paragraph (4), 11 of the initial
15 members of the Board shall serve for a term of 1
16 year, as designated by the President.

17 (5) VACANCIES.—As vacancies occur on the
18 Board, new members shall be appointed by the
19 President, with the advice and consent of the Senate,
20 and serve for the remainder of the term for which
21 the predecessor of such member was appointed.

22 (6) CHAIRPERSON.—The Board shall elect a
23 chairperson and vice-chairperson from among its
24 membership.

1 (7) MEETINGS.—The Board shall meet not less
2 than three times each year. The Board shall hold ad-
3 ditional meetings if seven members of the Board re-
4 quest such meetings in writing. A majority of the
5 Board shall constitute a quorum.

6 (8) EXPENSES.—While away from their homes
7 or regular places of business on the business of the
8 Board, members of such Board may be allowed
9 travel expenses, including per diem in lieu of sub-
10 sistence, as is authorized under section 5703 of title
11 5, United States Code, for persons employed inter-
12 mittently in the Government service.

13 (c) DUTIES.—The Board shall—

14 (1) advise the President and the Congress con-
15 cerning developments in national and community
16 service that merit the attention of the President and
17 the Congress;

18 (2) design, administer and disseminate informa-
19 tion regarding the programs and initiatives estab-
20 lished under this title;

21 (3) consult with appropriate Federal agencies in
22 administering programs that receive assistance under
23 this title;

24 (4) have the authority to delegate authority to
25 administer the programs established under this title

1 to any other agency or entity of the Federal Govern-
2 ment, on the agreement of such agency or entity, as
3 the Board determines appropriate;

4 (5) provide, directly or through contract with
5 public or private nonprofit organizations that have
6 extensive experience in service programs, training
7 and technical assistance to States, school and com-
8 munity-based service programs, full-time youth serv-
9 ice corps, and national service demonstration pro-
10 grams;

11 (6) arrange for the evaluation of programs es-
12 tablished under this title, in accordance with section
13 179;

14 (7) coordinate with the Secretary of Defense in
15 evaluating the effect of the national service demon-
16 stration program on the recruitment efforts of the
17 active and reserve components of the Armed Forces;
18 and

19 (8) carry out any other activities determined ap-
20 propriate by the Secretary.

21 (d) EXECUTIVE DIRECTOR OF THE BOARD.—

22 (1) IN GENERAL.—The Board shall appoint an
23 individual to serve as Executive Director of the
24 Board (hereinafter referred to in this section as the
25 “Director”).

1 (2) DUTIES.—The Director shall advise the
2 Board concerning developments in volunteer or na-
3 tional service that the Director determines merits the
4 attention of the Board, identify promising service ini-
5 tiatives, and coordinate the work of the Board with
6 the work of other Federal agencies involved in serv-
7 ice activities and in the design of a competitive grant
8 to provide assistance as authorized under this title.

9 (e) TECHNICAL EMPLOYEES.—The Director may, at the
10 discretion of the Board, appoint not more than 10 technical
11 employees to administer the Committee. Such employees
12 shall be appointed for terms that shall not exceed 2 years,
13 without regard to the provisions of title 5, United States
14 Code, governing appointments in the competitive service,
15 and without regard to the provisions of chapter 51 and sub-
16 chapter III of chapter 53 of such title relating to classifica-
17 tion and General Schedule pay rates.

18 (f) CLEARINGHOUSES.—

19 (1) IN GENERAL.—The Commission shall pro-
20 vide assistance to not more than four regional serv-
21 ice clearinghouses.

22 (2) PUBLIC AND PRIVATE NONPROFIT AGENCIES.—
23 Public and private nonprofit agencies that have ex-
24 tensive experience in community service, adult vol-
25 unteer and partnership programs, youth service, in-

1 tergenerational service programs, and programs
2 working with at-risk youth shall be eligible to re-
3 ceive assistance under paragraph (1).

4 (3) FUNCTION OF CLEARINGHOUSES.—National
5 and regional clearinghouses that receive assistance
6 under paragraph (1) shall—

7 (A) assist State and local community serv-
8 ice programs with needs assessments and plan-
9 ning;

10 (B) conduct research and evaluations con-
11 cerning community service;

12 (C) provide leadership development and
13 training to State and local community service
14 program administrators, supervisors, and partici-
15 pants;

16 (D) administer award and recognition pro-
17 grams for outstanding community service pro-
18 grams and participants;

19 (E) facilitate communication among com-
20 munity service programs and participants;

21 (F) provide information, curriculum materi-
22 als, technical assistance on program planning
23 and operation, and training to States and local
24 entities eligible to receive funds under this title;

1 (G) gather and disseminate information on
2 successful programs, components of successful
3 programs, innovative youth skills curriculum,
4 and projects being implemented nationwide; and

5 (H) make recommendations to State and
6 local entities on quality controls to improve pro-
7 gram delivery and on changes in the programs
8 under this title.

9 (g) PRESIDENTIAL AWARDS FOR SERVICES.—

10 (1) PRESIDENTIAL AWARDS.—

11 (A) IN GENERAL.—The President, acting
12 through the Commission, is authorized to make
13 Presidential Awards for service to—

14 (i) individuals demonstrating outstand-
15 ing community service including school-
16 based service;

17 (ii) outstanding service learning and
18 community service programs; and

19 (iii) outstanding teachers in service-
20 learning programs.

21 (B) NUMBER OF AWARDS.—The President is
22 authorized to make one or more individual, one
23 or more teaching, and one or more program
24 awards in each Congressional district, and one

1 or more Statewide individual program and
2 teaching awards in each State.

3 (C) CONSULTATION.—The President shall
4 consult with the Governor of each State, and
5 with the Board, in the selection of individuals
6 and programs for Presidential Awards.

7 (D) PARTICIPANTS IN PROGRAMS.—An indi-
8 vidual receiving an award under this subsection
9 need not be a participant in a program assisted
10 under this title.

11 (2) INFORMATION.—The President shall ensure
12 that information concerning individuals and pro-
13 grams receiving awards under this subsection is
14 widely disseminated.

15 (h) REPORT.—Not later than January 1, 1993, the
16 President shall prepare and submit to the Committee on
17 Labor and Human Resources of the Senate and the Com-
18 mittee on Education and Labor of the House of Represent-
19 atives, a report containing recommendations for the im-
20 provement of the administration and coordination of vol-
21 unteer, national, and community service programs admin-
22 istered by the ACTION Agency, the Commission on Na-
23 tional Service, and other Federal entities. Such report shall
24 include—

1 (1) an assessment of whether Federal volunteer,
2 national and community service programs could be
3 more cost-effectively and efficiently administered by
4 a single Federal entity or fewer entities, including an
5 estimate of any cost savings that could be achieved
6 by consolidating or centralizing the management of
7 such programs; and

8 (2) a description of the roles and responsibilities
9 of the ACTION Agency, the Commission on Nation-
10 al Service and other Federal entities in developing
11 and coordinating National policy on voluntarism and
12 national and community service and any recommen-
13 dations for clarifying or altering the missions and re-
14 sponsibilities of such entities which may be appro-
15 priate.

16 **TITLE II—MODIFICATIONS OF**
17 **EXISTING PROGRAMS**
18 **Subtitle B—Publication**

19 **SEC. 201. INFORMATION FOR STUDENTS.**

20 Section 485(a)(1) of the Higher Education Act of
21 1965 (20 U.S.C. 1092(a)(1)) is amended—

22 (1) by striking out “and” at the end of subpara-
23 graph (J);

1 (2) by striking out the period at the end of sub-
2 paragraph (K) and inserting in lieu thereof a semi-
3 colon and the word "and"; and

4 (3) by adding at the end thereof the following
5 new subparagraph:

6 "(L) the terms and conditions under which stu-
7 dents receiving guaranteed student loans under part
8 B of this title or direct student loans under part E of
9 this title, or both, may—

10 "(i) obtain deferral of the repayment of the
11 principal and interest for service under the
12 Peace Corps Act (as established by the Peace
13 Corps Act (22 U.S.C. 2501 et seq.)) or under
14 the Domestic Volunteer Service Act of 1973 (42
15 U.S.C. 4951 et seq.), or for comparable full-
16 time service as a volunteer for a tax-exempt or-
17 ganization of demonstrated effectiveness in the
18 field of community service, and

19 "(ii) obtain partial cancellation of the stu-
20 dent loan for service under the Peace Corps Act
21 (as established by the Peace Corps Act (22
22 U.S.C. 2501 et seq.)) under the Domestic Vol-
23 unteer Service Act of 1973 (42 U.S.C. 4951 et
24 seq.) or, for comparable full-time service as a
25 volunteer for a tax-exempt organization of dem-

1 onstrated effectiveness in the field of communi-
2 ty service.''.
3

3 **SEC. 202. EXIT COUNSELING FOR BORROWERS.**

4 Section 485(b) of the Higher Education Act of 1965
5 (20 U.S.C. 1092(b)) is amended—

6 (1) by striking “and” at the end of paragraph
7 (1);

8 (2) by striking the period at the end of para-
9 graph (2) and inserting in lieu thereof a semicolon
10 and “and”; and

11 (3) by inserting after paragraph (2) the follow-
12 ing new paragraph:

13 “(3) the terms and conditions under which the
14 student may obtain partial cancellation or defer re-
15 payment of the principal and interest for service
16 under the Peace Corps Act (as established by the
17 Peace Corps Act (22 U.S.C. 2501 et seq.)) or under
18 the Domestic Volunteer Service Act of 1973 (42
19 U.S.C. 4951 et seq.) or for comparable full-time
20 service as a volunteer for a tax-exempt organization
21 of demonstrated effectiveness.’’.

22 **SEC. 203. DEPARTMENT INFORMATION ON DEFERMENTS AND**
23 **CANCELLATIONS.**

24 Section 485(d) of the Higher Education Act of 1965
25 (20 U.S.C. 1092(d)) is amended by inserting before the last

1 sentence the following new sentence: "The Secretary shall
2 provide information concerning the specific terms and con-
3 ditions under which students may obtain partial or total
4 cancellation or defer repayment of loans for service, shall
5 indicate (in terms of the Federal minimum wage) the maxi-
6 mum level of compensation and allowances that a student
7 borrower may receive from a tax-exempt organization to
8 qualify for a deferment, and shall explicitly state that stu-
9 dents may qualify for such partial cancellations or defer-
10 ments when they serve as a paid employee of a tax-exempt
11 organization".

12 **SEC. 204. DATA ON DEFERMENTS AND CANCELLATIONS.**

13 Section 485B(a) of the Higher Education Act of 1965
14 (20 U.S.C. 1092b(a)) is amended—

15 (1) by striking "and" at the end of paragraph
16 (3);

17 (2) by striking the period at the end of para-
18 graph (4) and inserting in lieu thereof a semicolon
19 and "and"; and

20 (3) by adding the following new paragraph after
21 paragraph (4):

22 "(5) the exact amount of loans partially or to-
23 tally canceled or in deferment for service under the
24 Peace Corps Act (22 U.S.C. 2501 et seq.), for serv-
25 ice under the Domestic Volunteer Service Act of

1 1973 (42 U.S.C. 4951 et seq.), and for comparable
2 full-time service as a volunteer for a tax-exempt or-
3 ganization of demonstrated effectiveness.”.

4 **Subtitle B—Youthbuild Projects**

5 **SEC. 211. YOUTHBUILD PROJECTS.**

6 The Domestic Volunteer Service Act of 1973 (42
7 U.S.C. 4951 et seq.) is amended by adding at the end
8 thereof the following new title:

9 **“TITLE VII—YOUTHBUILD PROJECTS**

10 **“SEC. 701. STATEMENT OF PURPOSE.**

11 “It is the purpose of this title—

12 “(1) to provide economically disadvantaged
13 young adults with opportunities for meaningful serv-
14 ice to their communities in helping to meet the hous-
15 ing needs of homeless individuals and low-income
16 families; and

17 “(2) to enable economically disadvantaged
18 young adults to obtain the education and employ-
19 ment skills necessary to achieve economic self-suffi-
20 ciency.

21 **“SEC. 702. AUTHORIZATION OF PROGRAM.**

22 “(a) **FINANCIAL ASSISTANCE.**—The Director of the
23 ACTION Agency, in consultation with the Secretary of
24 Labor, may provide grants to pay the Federal share of the

1 cost of carrying out Youthbuild projects in accordance
2 with this title.

3 “(b) FEDERAL SHARE.—The Federal share under sub-
4 section (a) for each fiscal year shall not exceed 90 percent.

5 “SEC. 703. SERVICE IN CONSTRUCTION AND REHABILITATION
6 PROJECTS.

7 “(a) CONSTRUCTION AND REHABILITATION PROJECTS.—
8 Eligible participants serving in Youthbuild projects receiv-
9 ing assistance under this title shall be employed in the con-
10 struction, rehabilitation, or improvement of real property to
11 be used for purposes of providing—

12 “(1) residential rental housing that is occupied
13 primarily by, or available for occupancy primarily
14 by, homeless individuals and low-income families;

15 “(2) transitional housing for homeless individ-
16 uals;

17 “(3) facilities for the provision of health, educa-
18 tion, and other social services to low-income fami-
19 lies, including—

20 “(A) senior citizen centers;

21 “(B) youth recreation centers;

22 “(C) Head Start or child or adult day care
23 centers; and

24 “(D) community health centers.

1 “(b) REQUIREMENTS FOR COMMUNITY FACILITIES.—No
2 assistance may be provided under this title to support the
3 construction, rehabilitation, or improvement of real proper-
4 ty to be used to provide facilities described in subsection
5 (a) unless the property—

6 “(1) is used principally by or for the benefit of
7 low-income families;

8 “(2) is owned and occupied solely by public or
9 private nonprofit entities; and

10 “(3) is located in census tracts, or identifiable
11 neighborhoods within census tracts, in which the
12 median family income is not more than 80 percent
13 of the median family income of the area in which
14 the facility is located, as such median family income
15 and area are determined for the purposes of assist-
16 ance under section 8 of the United States Housing
17 Act of 1937 (42 U.S.C. 1437f).

18 “(c) RESTRICTION OF USE.—Participants under this
19 title may not be employed in the construction, operation,
20 or maintenance of any facility used for sectarian instruc-
21 tion or religious worship.

22 “SEC. 704. EDUCATION AND JOB TRAINING SERVICES.

23 “(a) IN GENERAL.—Assistance provided under this
24 title shall be used by each Youthbuild project to provide to
25 participants the following:

1 “(1) SERVICE OPPORTUNITIES.—Service opportu-
2 nities in the construction or rehabilitation projects
3 described in section 703, which shall be integrated
4 with appropriate skills training and coordinated with,
5 to the extent feasible, preapprenticeship and appren-
6 ticeship programs.

7 “(2) EDUCATIONAL SERVICES.—Services and ac-
8 tivities designed to meet the educational needs of
9 participants, including—

10 “(A) basic skills instruction and remedial
11 education;

12 “(B) bilingual education for individuals
13 with limited English proficiency; and

14 “(C) secondary education services and ac-
15 tivities designed to lead to the attainment of a
16 high school diploma or its equivalent.

17 “(3) PERSONAL AND PEER SUPPORTS.—Counsel-
18 ing services and other activities designed to—

19 “(A) ensure that participants overcome
20 personal problems that would interfere with
21 their successful participation; and

22 “(B) develop a strong, mutually supportive
23 peer context in which values, goals, cultural
24 heritage, and life skills can be explored and
25 strengthened.

1 “(4) LEADERSHIP DEVELOPMENT.—Opportunities
2 to develop the decisionmaking, speaking, negotiating,
3 and other leadership skills of participants, such as
4 the establishment and operation of a youth council
5 with meaningful decisionmaking authority over as-
6 pects of the project.

7 “(5) PREPARATION FOR AND PLACEMENT IN UN-
8 SUBSIDIZED EMPLOYMENT.—Activities designed to
9 maximize the value of participants as future employ-
10 ees and to prepare participants for seeking, obtain-
11 ing, and retaining unsubsidized employment.

12 “(6) NECESSARY SUPPORT SERVICES.—To provide
13 support services and need-based stipends necessary
14 to enable individuals to participate in the program
15 and, for a period not to exceed 6 months after com-
16 pletion of training, to assist participants through sup-
17 port services in retaining employment.

18 “(b) CONDITIONS.—The provision of service opportu-
19 nities to participants in Youthbuild projects shall be made
20 conditional upon attendance and participation by such indi-
21 viduals in the educational services and activities described
22 in subsection (a). The duration of participation for each
23 individual in educational services and activities shall be at
24 least equal to the total number of hours for which a partici-
25 pant serves and is paid wages by a Youthbuild project.

1 "SEC. 705. USES OF FUNDS.

2 "(a) FUNDS.—Funds provided under this title may be
3 used only for activities that are in addition to activities that
4 would otherwise be available in the absence of such funds.

5 "(b) ASSISTANCE CRITERIA.—Assistance provided to
6 each Youthbuild project under this title shall be used only
7 for—

8 "(1) education and job training services and ac-
9 tivities described in paragraphs (2), (3), (4), (5), and
10 (6) of section 704(a);

11 "(2) wages and benefits paid to participants in
12 accordance with sections 704(a) and 706; and

13 "(3) administrative expenses incurred by the
14 project in an amount not to exceed 10 percent of the
15 amount of assistance provided to the project under
16 this title unless such project receives a waiver, on
17 the basis of substantial need, granted by the Director
18 to use an amount not to exceed 15 percent of the
19 amount of such assistance provided under this title
20 for such purposes.

21 "SEC. 706. ELIGIBLE PARTICIPANTS.

22 "(a) IN GENERAL.—Except as provided in subsection
23 (b), an individual shall be eligible to participate in a
24 Youthbuild project receiving assistance under this title if
25 such individual is—

26 "(1) 16 to 24 years of age, inclusive;

1 “(2) economically disadvantaged; and

2 “(3) an individual who has dropped out of high
3 school whose reading and mathematics skills are at
4 or below the 8th grade level.

5 “(b) EXCEPTIONS.—Not more than 25 percent of the
6 participants in a Youthbuild project receiving assistance
7 under this title may be individuals who do not meet the
8 requirements of subsection (a).

9 “(c) PARTICIPATION LIMITATION.—Any eligible indi-
10 vidual selected for full-time participation in a Youthbuild
11 project may participate full-time for a period of not less
12 than 6 months and not more than 18 months.

13 “SEC. 707. LIVING ALLOWANCES.

14 “(a) AMOUNT OF ALLOWANCE.—

15 “(1) IN GENERAL.—Each participant in a full-
16 time Youthbuild program that receives assistance
17 under this title shall receive a living allowance of
18 not more than an amount equal to 100 percent of the
19 poverty line for a family of two (as defined in sec-
20 tion 673(2) of the Community Service Block Grant
21 Act (42 U.S.C. 9902(2)).

22 “(2) NON-FEDERAL SOURCES.—Notwithstanding
23 paragraph (1), a program agency may provide par-
24 ticipants with additional amounts that are made
25 available from non-Federal sources.

1 “(3) REDUCTION IN EXISTING PROGRAM BENE-
2 FITS.—Nothing in this section shall be construed to
3 require a program in existence on the date of enact-
4 ment of this title to decrease any stipends, salaries,
5 or living allowances provided to participants under
6 such program so long as the amount of any such sti-
7 pend, salaries, or living allowances that is in excess
8 of the levels provided for in this section are paid
9 from non-Federal sources.

10 “(b) NONDISCRIMINATION.—

11 “(1) IN GENERAL.—Except as provided in para-
12 graph (2), an individual with responsibility for the
13 operation of a Youthbuild project shall not discrimi-
14 nate on the basis of religion against a participant or
15 a member of the project staff who is paid with funds
16 under this title.

17 “(2) EXCEPTION.—Paragraph (1) shall not apply
18 to the employment, with funds provided under this
19 title, of any member of the staff of a Youthbuild
20 project who was employed with the organization op-
21 erating the project on the date the grant funded
22 under this title was awarded.

23 “SEC. 708. CONTRACTS.

24 “Each Youthbuild project shall carry out the services
25 and activities under this title directly or through arrange-

1 ments or under contracts with administrative entities desig-
2 nated under section 103(b)(1)(B) of the Job Training Part-
3 nership Act (29 U.S.C. 1501(b)(1)(B)), with State and
4 local educational agencies, institutions of higher education,
5 State and local housing development agencies, and with
6 other public agencies and private organizations.

7 **"SEC. 709. PERFORMANCE STANDARDS.**

8 “(a) IN GENERAL.—The Director, in consultation with
9 the Secretary of Labor, shall prescribe standards for evalu-
10 ating the performance of Youthbuild projects receiving as-
11 sistance under this title, including the following factors:

12 “(1) Placement in unsubsidized employment.

13 “(2) Retention in unsubsidized employment.

14 “(3) An increase in earnings.

15 “(4) Improvement of reading and other basic
16 skills.

17 “(5) Attainment of a high school diploma or its
18 equivalent.

19 “(6) Completion of projects providing a benefit
20 to the community.

21 “(b) VARIATIONS.—The Director shall prescribe vari-
22 ations to the standards determined under subsection (a) by
23 taking into account the economic conditions of the areas in
24 which Youthbuild projects are located and appropriate spe-

1 cial characteristics, such as the extent of English language
2 proficiency and offender status of Youthbuild participants.

3 "SEC. 710. APPLICATIONS.

4 "(a) SUBMISSION.—To apply for a grant under this
5 title, an eligible entity shall submit an application to the
6 Director in accordance with procedures established by the
7 Director.

8 "(b) CRITERIA.—Each such application shall—

9 "(1) describe the educational services, job train-
10 ing, supportive services, service opportunities, and
11 other services and activities that will be provided to
12 participants;

13 "(2) describe the proposed construction of reha-
14 bilitation activities to be undertaken and the antici-
15 pated schedule for carrying out such activities;

16 "(3) describe the manner in which eligible
17 youths will be recruited and selected, including a de-
18 scription of arrangements which will be made with
19 community-based organizations, State and local edu-
20 cational agencies, public assistance agencies, the
21 courts of jurisdiction for status and youth offenders,
22 homeless shelters and other agencies that serve
23 homeless youth, foster care agencies, and other ap-
24 propriate public and private agencies;

1 “(4) describe the special outreach efforts that
2 will be undertaken to recruit eligible young women
3 (including young women with dependent children);

4 “(5) describe how the proposed project will be
5 coordinated with other Federal, State, and local ac-
6 tivities, including vocational, adult and bilingual edu-
7 cation programs, job training supported by funds
8 available under the Job Training Partnership Act (29
9 U.S.C. 1501 et seq.) and the Family Support Act of
10 1988, housing and economic development, and pro-
11 grams that receive assistance under section 106 of
12 the Housing and Community Development Act of
13 1974 (42 U.S.C. 5306);

14 “(6) provide assurances that there will be a suf-
15 ficient number of supervisory personnel on the
16 project and that the supervisory personnel are trained
17 in the skills needed to carry out the project;

18 “(7) describe activities that will be undertaken
19 to develop the leadership skills of participants;

20 “(8) set forth a detailed budget and describe the
21 system of fiscal controls and auditing and account-
22 ability procedures that will be used to ensure fiscal
23 soundness; and

1 “(9) set forth assurances, arrangements, and
2 conditions the Director determines are necessary to
3 carry out this title.

4 “SEC. 711. SELECTION OF PROJECTS.

5 “In approving applications for assistance under this
6 title, the Director shall give priority to applicants that dem-
7 onstrate the following:

8 “(1) POTENTIAL FOR SUCCESS.—The greatest
9 likelihood of success, as indicated by such factors as
10 the past experience of an applicant with housing re-
11 habilitation or construction, youth and youth educa-
12 tion and employment training programs, management
13 capacity, fiscal reliability, and community support.

14 “(2) NEED.—Have the greatest need for assist-
15 ance, as determined by factors such as—

16 “(A) the degree of economic distress of
17 the community from which participants would
18 be recruited, including—

19 “(i) the extent of poverty;

20 “(ii) the extent of youth unemploy-
21 ment; and

22 “(iii) the number of individuals who
23 have dropped out of high school; and

1 “(B) the degree of economic distress of
2 the locality in which the housing would be reha-
3 bilitated or constructed, including—

4 “(i) objective measures of the inci-
5 dence of homelessness;

6 “(ii) the relation between the supply
7 of affordable housing for low-income fami-
8 lies and the number of such families in the
9 locality;

10 “(iii) the extent of housing over-
11 crowding; and

12 “(iv) the extent of poverty.

13 **“SEC. 712. MANAGEMENT AND TECHNICAL ASSISTANCE.**

14 “(a) **GENERAL ADMINISTRATION.**—The program estab-
15 lished under this title shall be administered by an individ-
16 ual with significant experience in the administration of
17 youth service programs that explicitly attempt to enhance
18 the basic academic and vocational skills of participants in
19 such programs. The Director is authorized to delegate any
20 of the functions of the Director under this title as may be
21 appropriate to the Secretary of Labor and provide for the
22 performance of any of the provisions of this title on a cost-
23 reimbursable basis by the Secretary of Labor.

24 “(b) **DIRECTOR ASSISTANCE.**—The Director may enter
25 into contracts with a qualified public or private nonprofit

1 agency to provide assistance to the Director in the manage-
2 ment, supervision, and coordination of Youthbuild projects
3 receiving assistance under this title.

4 “(c) SPONSOR ASSISTANCE.—The Director shall enter
5 into contracts with a qualified public or private nonprofit
6 agency to provide appropriate training, information, and
7 technical assistance to sponsors of projects assisted under
8 this title.

9 “(d) APPLICATION PREPARATION.—Technical assist-
10 ance may also be provided in the development of project
11 proposals and the preparation of applications for assistance
12 under this title to eligible entities which intend or desire to
13 submit such applications. Community-based organizations
14 shall be given first priority in the provision of such assist-
15 ance.

16 “(e) RESERVATION OF FUNDS.—The Director shall re-
17 serve 5 percent of the amounts available in each fiscal year
18 under section 715 to carry out subsections (c) and (d).

19 “SEC. 713. DEFINITIONS.

20 “For purposes of this title:

21 “(1) COMMUNITY-BASED ORGANIZATIONS.—The
22 term ‘community-based organizations’ has the mean-
23 ing given such term in section 4(8) of the Job Train-
24 ing Partnership Act (29 U.S.C. 1503(8)).

1 “(2) DIRECTOR.—The term ‘Director’ means the
2 Director of the ACTION agency.

3 “(3) DROPPED OUT OF HIGH SCHOOL.—The term
4 ‘individual who has dropped out of high school’
5 means an individual who is neither attending any
6 school nor subject to a compulsory attendance law
7 and who has not received a secondary school diploma
8 or a certificate of equivalency for such diploma,
9 but does not include any individual who has attended
10 secondary school at any time during the preceding 6
11 months.

12 “(4) ECONOMICALLY DISADVANTAGED.—The
13 term ‘economically disadvantaged’ has the meaning
14 given such term in section 4(8) of the Job Training
15 Partnership Act (29 U.S.C. 1503(8)).

16 “(5) ELIGIBLE ENTITY.—The term ‘eligible
17 entity’ means a public or private nonprofit agency,
18 such as—

19 “(A) community-based organizations;

20 “(B) administrative entities designated
21 under section 103(b)(1)(B) of the Job Training
22 Partnership Act (29 U.S.C. 1501(b)(1)(B));

23 “(C) community action agencies;

24 “(D) State and local housing development
25 agencies;

1 “(E) State and local youth service and
2 conservation corps; and

3 “(F) any other entity that is eligible to pro-
4 vide education and employment training under
5 other Federal employment training programs.

6 “(6) HOMELESS INDIVIDUAL.—The term ‘home-
7 less individual’ has the meaning given such term in
8 section 103 of the Stewart B. McKinney Homeless
9 Assistance Act (42 U.S.C. 11302).

10 “(7) HOUSING DEVELOPMENT AGENCY.—The
11 term ‘housing development agency’ means any
12 agency of a State or local government, or any private
13 nonprofit organization that is engaged in providing
14 housing for the homeless or low-income families.

15 “(8) INSTITUTION OF HIGHER EDUCATION.—The
16 term ‘institution of higher education’ has the mean-
17 ing given such term in section 1201(a) of the Higher
18 Education Act of 1965 (20 U.S.C. 1141(a)).

19 “(9) LIMITED ENGLISH PROFICIENCY.—The term
20 ‘limited English proficiency’ has the meaning given
21 such term in section 7003 of the Bilingual Education
22 Act (20 U.S.C. 3223).

23 “(10) LOW-INCOME FAMILY.—The term ‘low-
24 income family’ has the meaning given the term
25 ‘lower income families’ in section 3(b)(2) of the

1 United States Housing Act of 1937 (42 U.S.C.
2 1437a(b)(2)).

3 “(11) OFFENDER.—The term ‘offender’ means
4 any adult or juvenile with a record of arrest or con-
5 viction for a criminal offense.

6 “(12) QUALIFIED NONPROFIT AGENCY.—The term
7 ‘qualified public or private nonprofit agency’ means
8 any nonprofit agency that has significant prior expe-
9 rience in the operation of projects similar to the
10 Youthbuild program authorized under this title and
11 that has the capacity to provide effective technical
12 assistance under this title.

13 “(13) RESIDENTIAL RENTAL PURPOSES.—The
14 term ‘residential rental purposes’ includes a coopera-
15 tive or mutual housing facility that has a resale
16 structure that enables the cooperative to maintain af-
17 fordability for low-income individuals and families.

18 “(14) SERVICE OPPORTUNITY.—The term ‘service
19 opportunity’ means the opportunity to perform work
20 in return for wages and benefits in the construction
21 or rehabilitation of real property in accordance with
22 this title.

23 “(15) STATE.—The term ‘State’ means any of
24 the several States, the District of Columbia, the
25 Commonwealth of Puerto Rico, the Commonwealth

1 of the Northern Mariana Islands, the Virgin Islands,
2 Guam, American Samoa, or any other territory or
3 possession of the United States.

4 “(16) TRANSITIONAL HOUSING.—The term ‘tran-
5 sitional housing’ means a project that has as its pur-
6 pose facilitating the movement of homeless individ-
7 uals and families to independent living within a rea-
8 sonable amount of time. Transitional housing in-
9 cludes housing primarily designed to serve deinstitu-
10 tionalized homeless individuals and other homeless
11 individuals with mental or physical disabilities and
12 homeless families with children.

13 “(17) YOUTHBUILD PROJECT.—The term ‘Youth-
14 build project’ means any project that receives assist-
15 ance under this title and provides disadvantaged
16 youth with opportunities for service, education, and
17 training in the construction or rehabilitation of hous-
18 ing for homeless and other low-income individuals.

19 “SEC. 715. REGULATIONS.

20 The Secretary shall issue any regulations necessary to
21 carry out this title.

22 “SEC. 716. AUTHORIZATION OF APPROPRIATIONS.

23 “There are authorized to be appropriated to carry out
24 this title \$1,000,000 for fiscal year 1991, \$2,000,000 for
25 fiscal year 1992, and \$5,000,000 for fiscal year 1993.”.

1 **Subtitle C—Amendments to Student**
2 **Literacy Corps**

3 **SEC. 221. AMENDMENTS TO STUDENT LITERACY CORPS.**

4 (a) **INCREASE IN HOURS OF SERVICE.**—Section
5 144(b)(2)(B) of the Higher Education Act of 1965 (20
6 U.S.C. 1018 note) is amended by striking “6” and insert-
7 ing in lieu thereof “60” and by striking “each week of”
8 and inserting in lieu thereof “during”.

9 (b) **PRIORITY.**—Section 144(b)(2)(D) of such Act is
10 amended by inserting before the semicolon the following:
11 “and, as provided in section 146, will give priority in pro-
12 viding tutoring services to—

13 “(i) educationally disadvantaged students re-
14 ceiving services under chapter 1 of title I of the Ele-
15 mentary and Secondary Education Act of 1965; and

16 “(ii) illiterate parents of educationally or eco-
17 nomically disadvantaged elementary school students,
18 with special emphasis on single-parent households.”.

19 (c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 146
20 of such Act is amended—

21 (1) by inserting “(a)” before “In general”; and

22 (2) by adding at the end thereof the following
23 new subsection:

1 “(b) The priorities described in section 144(b)(2)(D)
2 shall be applied by the Secretary to funds appropriated
3 which exceed \$10,000,000.”.

4 **TITLE III—POINTS OF LIGHT**
5 **FOUNDATION**

6 SEC 301. SHORT TITLE.

7 This title may be cited as “The Points of Light Foun-
8 dation Act”.

9 SEC. 302. FINDINGS AND PURPOSES.

10 (a) FINDINGS.—Congress finds that—

11 (1) community service and service to others is
12 an integral part of American tradition;

13 (2) existing volunteers and volunteer programs
14 should be praised for their efforts in helping and
15 serving others;

16 (3) the definition of a successful life includes
17 service to others;

18 (4) individuals should be encouraged to volun-
19 teer their time and energies in community service ef-
20 forts;

21 (5) if asked to volunteer or participate in com-
22 munity service, most Americans will do so;

23 (6) institutions should be encouraged to volun-
24 teer their resources and energies and should encour-

1 age volunteer and community service among their
2 members, employees, affiliates; and

3 (7) volunteer and community service programs
4 are intended to complement and not replace govern-
5 mental responsibilities.

6 (b) PURPOSE.—It is the purpose of this title—

7 (1) to encourage every American and every
8 American institution to help solve our most critical
9 social problems by volunteering their time, energies
10 and services through community service projects and
11 initiatives;

12 (2) to identify successful and promising com-
13 munity service projects and initiatives, and to dis-
14 seminate information concerning such projects and
15 initiatives to other communities in order to promote
16 their adoption nationwide; and

17 (3) to discover and encourage new leaders and
18 develop individuals and institutions that serve as
19 strong examples of a commitment to serving others
20 and to convince all Americans that a successful life
21 includes serving others.

22 SEC. 303. AUTHORITY.

23 (a) IN GENERAL.—The President is authorized to des-
24 ignate a private, nonprofit organization (hereinafter re-
25 ferred to in this title as the Foundation) to receive funds

1 pursuant to section 501(b), upon the determination of the
2 President that such organization is capable of carrying out
3 the undertakings described in section 302. Any such desig-
4 nation by the President shall be revocable.

5 (b) CONSTRUCTION.—Nothing in this Act shall be con-
6 strued either—

7 (1) to cause the Foundation to be deemed an
8 agency, establishment, or instrumentality of the
9 United States Government; or

10 (2) to cause the directors, officers or employees
11 of the Foundation to be deemed officers or employ-
12 ees of the United States.

13 SEC. 304. GRANTS TO THE FOUNDATION.

14 (a) IN GENERAL.—Funds made available pursuant to
15 sections 303 and 501(b) shall be granted to the Foundation
16 by a department or agency in the executive branch of the
17 United States Government designated by the President—

18 (1) to assist the Foundation in carrying out the
19 undertakings described in section 302; and

20 (2) for the administrative expenses of the Foun-
21 dation.

22 (b) INTEREST EARNED ON ACCOUNTS.—Notwithstand-
23 ing any other provision of law, the Foundation may hold
24 funds granted to it pursuant to this title in interest-bearing
25 accounts, prior to the disbursement of such funds for pur-

1 poses specified in subsection (a), and may retain for such
2 purposes any interest earned on such deposits without re-
3 turning such interest to the Treasury of the United States
4 and without further appropriation by the Congress.

5 **SEC. 305. ELIGIBILITY OF THE FOUNDATION FOR GRANTS.**

6 (a) **COMPLIANCE.**—Grants may be made to the Foun-
7 dation pursuant to this title only if the Foundation agrees
8 to comply with the requirements of this title. If the Foun-
9 dation fails to comply with the requirements of this title,
10 additional funds shall not be released until the Foundation
11 brings itself into compliance with such requirements.

12 (b) **ACTIVITIES.**—The Foundation may use funds pro-
13 vided under this title only for activities and programs con-
14 sistent with the purposes described in sections 302 and
15 304.

16 (c) **LIMITATION.**—The Foundation shall not issue any
17 shares of stock or declare or pay any dividends.

18 (d) **COMPENSATION.**—No part of the funds available to
19 the Foundation shall inure to the benefit of any board
20 member, officer, or employee of the Foundation, except as
21 salary or reasonable compensation for services or ex-
22 penses. Compensation for board members shall be limited
23 to reimbursement for reasonable costs of travel and ex-
24 penses.

1 (e) CONFLICTS OF INTEREST.—No director, officer, or
2 employee of the Foundation shall participate, directly or
3 indirectly, in the consideration or determination of any
4 question before the Foundation that affects his or her fi-
5 nancial interests or the financial interests of any corpora-
6 tion, partnership, entity, or organization in which he or she
7 has a direct or indirect financial interest.

8 (f) POLITICAL ACTIVITY.—The Foundation shall not
9 engage in lobbying or propaganda for the purpose of influ-
10 encing legislation, and shall not participate or intervene in
11 any political campaign on behalf of any candidate for
12 public office.

13 (g) PRIVATE SECTOR CONTRIBUTIONS.—During the
14 second and third fiscal years in which funds are provided
15 to the Foundation under this title, the Foundation shall
16 raise from private sector donations an amount equal to not
17 less than 25 percent of any funds provided to the Founda-
18 tion under this title in such ~~second~~ fiscal year. Funds shall
19 be released to the Foundation during ^{such} ~~such second~~ fiscal
20 year only to the extent that the matching requirement of
21 the subsection has been met.

22 (h) AUDIT OF ACCOUNTS.—The accounts of the Foun-
23 dation shall be audited annually by independent certified
24 public accountants or independent licensed public account-
25 ants certified or licensed by a regulatory authority of a

1 State or other political subdivision of the United States in
2 accordance with generally accepted auditing standards.
3 The reports, of each such independent audit shall be in-
4 cluded in the annual report required by subsection (l).

5 (i) AUDITS BY AGENCIES.—In fiscal years in which the
6 Foundation is receiving grants under this title, the accounts
7 of the Foundation may be audited at any time by any
8 agency designated by the President. The Foundation shall
9 keep such records as will facilitate effective audits.

10 (j) CONGRESSIONAL OVERSIGHT.—In fiscal years in
11 which the Foundation is receiving grants under this title,
12 the Foundation shall be subject to appropriate oversight
13 procedures of Congress.

14 (k) DUTIES.—The Foundation shall ensure—

15 (1) that recipients of financial assistance provid-
16 ed by the Foundation under this title, shall keep sep-
17 arate accounts with respect to such assistance and
18 such records as may be reasonably necessary to dis-
19 close fully—

20 (A) the amount and the disposition by such
21 recipient of the assistance received from the
22 Foundation;

23 (B) the total cost of the project or under-
24 taking in connection with which such assistance
25 is given or used;

1 (C) the amount and nature of that portion
2 of the cost of the project or undertaking sup-
3 plied by other sources; and

4 (D) such other records as will facilitate ef-
5 fective audits; and

6 (2) that the Foundation, or any of its duly au-
7 thorized representatives including any agency desig-
8 nated by the President pursuant to subsection (i)
9 shall have access, for the purpose of audit and exam-
10 ination, to any books, documents, papers, and
11 records of the recipient that are pertinent to assist-
12 ance provided from funds granted pursuant to this
13 title.

14 (1) ANNUAL REPORTS.—The Foundation shall prepare
15 and submit to the President and to the appropriate Com-
16 mittees of Congress an annual report, that shall include a
17 comprehensive and detailed description of the Founda-
18 tion's operations, activities, financial condition, and ac-
19 complishments for the fiscal year preceding the year in
20 which the report is submitted. Such report shall be submit-
21 ted not later than 3 months after the conclusion of any
22 fiscal year in which the Foundation receives grants under
23 this title.

1 **TITLE IV—FOOD DONATIONS**

2 **SEC. 401. SENSE OF CONGRESS CONCERNING ENACTMENT OF**
3 **GOOD SAMARITAN FOOD DONATION ACT.**

4 (a) **IN GENERAL.**—It is the sense of Congress that each
5 of the 50 States, the District of Columbia, the Common-
6 wealth of Puerto Rico, and the territories and possessions
7 of the United States should—

8 (1) encourage the donation of apparently whole-
9 some food or grocery products to nonprofit organiza-
10 tions for distribution to needy individuals; and

11 (2) consider the model Good Samaritan Food
12 Donation Act (provided in section 402) as a means
13 of encouraging the donation of food and grocery
14 products.

15 (b) **DISTRIBUTION OF COPIES.**—The Archivist of the
16 United States shall distribute a copy of this title to the
17 chief executive officer of each of the 50 States, the District
18 of Columbia, the Commonwealth of Puerto Rico, and the
19 territories and possessions of the United States.

20 **SEC. 402. MODEL GOOD SAMARITAN FOOD DONATION ACT.**

21 (a) **SHORT TITLE.**—This section may be cited as the
22 “Good Samaritan Food Donation Act”.

23 (b) **DEFINITIONS.**—As used in this section:

24 (1) **APPARENTLY FIT GROCERY PRODUCT.**—The
25 term “apparently fit grocery product” means a gro-

1 cery product that meets all quality and labeling
2 standards imposed by Federal, State, and local laws
3 and regulations even though the product may not be
4 readily marketable due to appearance, age, freshness,
5 grade, size, surplus, or other conditions.

6 (2) APPARENTLY WHOLESOME FOOD.—The term
7 “apparently wholesome food” means food that
8 meets all quality and labeling standards imposed by
9 Federal, State, and local laws and regulations even
10 though the food may not be readily marketable due
11 to appearance, age, freshness, grade, size, surplus, or
12 other conditions.

13 (3) DONATE.—The term “donate” means to
14 give without requiring anything of monetary value
15 from the recipient, except that the term shall include
16 giving by a nonprofit organization to another non-
17 profit organization, notwithstanding that the donor
18 organization has charged a nominal fee to the donee
19 organization, if the ultimate recipient or user is not
20 required to give anything of monetary value.

21 (4) FOOD.—The term “food” means any raw,
22 cooked, processed, or prepared edible substance, ice,
23 beverage, or ingredient used or intended for use in
24 whole or in part for human consumption.

1 (5) GLEANER.—The term “gleaner” means a
2 person who harvests for free distribution to the
3 needy, or for donation to a nonprofit organization for
4 ultimate distribution to the needy, an agricultural
5 crop that has been donated by the owner.

6 (6) GROCERY PRODUCT.—The term “grocery
7 product” means a nonfood grocery product, includ-
8 ing a disposable paper or plastic product, household
9 cleaning product, laundry detergent, cleaning prod-
10 uct, or miscellaneous household item.

11 (7) GROSS NEGLIGENCE.—The term “gross negli-
12 gence” means voluntary and conscious conduct by a
13 person with knowledge (at the time of the conduct)
14 that the conduct is likely to be harmful to the health
15 or well-being of another person.

16 (8) INTENTIONAL MISCONDUCT.—The term “in-
17 tentional misconduct” means conduct by a person
18 with knowledge (at the time of the conduct) that the
19 conduct is harmful to the health or well-being of an-
20 other person.

21 (9) NONPROFIT ORGANIZATION.—The term “non-
22 profit organization” means an incorporated or unin-
23 corporated entity that—

24 (A) is operating for religious, charitable, or
25 educational purposes; and

1 (B) does not provide net earnings to, or op-
2 erate in any other manner that inures to the ben-
3 efit of, any officer, employee, or shareholder of
4 the entity.

5 (10) PERSON.—The term “person” means an in-
6 dividual, corporation, partnership, organization, asso-
7 ciation, or governmental entity, including a retail
8 grocer, wholesaler, hotel, motel, manufacturer, res-
9 taurant, caterer, farmer, and nonprofit food distribu-
10 tor or hospital. In the case of a corporation, partner-
11 ship, organization, association, or governmental
12 entity, the term includes an officer, director, partner,
13 deacon, trustee, council member, or other elected or
14 appointed individual responsible for the governance
15 of the entity.

16 (C) LIABILITY FOR DAMAGES FROM DONATED FOOD
17 AND GROCERY PRODUCTS.—A person or gleaner shall not
18 be subject to civil or criminal liability arising from the
19 nature, age, packaging, or condition of apparently whole-
20 some food or an apparently fit grocery product that the
21 person or gleaner donates in good faith to a nonprofit orga-
22 nization for ultimate distribution to needy individuals,
23 except that this paragraph shall not apply to an injury to or
24 death of an ultimate user or recipient of the food or gro-
25 cery product that results from an act or omission of the

1 donor constituting gross negligence or intentional miscon-
2 duct.

3 (d) COLLECTION OR GLEANING OF DONATIONS.—A
4 person who allows the collection or gleaning of donations
5 on property owned or occupied by the person by gleaners,
6 or paid or unpaid representatives of a nonprofit organiza-
7 tion, for ultimate distribution to needy individuals shall not
8 be subject to civil or criminal liability that arises due to the
9 injury or death of the gleaner or representative, except that
10 this paragraph shall not apply to an injury or death that
11 results from an act or omission of the person constituting
12 gross negligence or intentional misconduct.

13 (e) PARTIAL COMPLIANCE.—If some or all of the do-
14 nated food and grocery products do not meet all quality
15 and labeling standards imposed by Federal, State, and local
16 laws and regulations, the person or gleaner who donates
17 the food and grocery products shall not be subject to civil
18 or criminal liability in accordance with this section if the
19 nonprofit organization that receives the donated food or
20 grocery products—

21 (1) is informed by the donor of the distressed or
22 defective condition of the donated food or grocery
23 products;

1 (2) agrees to recondition the donated food or
2 grocery products to comply with all the quality and
3 labeling standards prior to distribution; and

4 (3) is knowledgeable of the standards to proper-
5 ly recondition the donated food or grocery product.

6 (f) CONSTRUCTION.—This section shall not be con-
7 strued to create any liability.

8 SEC. 403. EFFECT OF SECTION 402.

9 The model Good Samaritan Food Donation Act (pro-
10 vided in section 402) is intended only to serve as a model
11 law for enactment by the States, the District of Columbia,
12 the Commonwealth of Puerto Rico, and the territories and
13 possessions of the United States. The enactment of section
14 402 shall have no force or effect in law.

15 **TITLE V—AUTHORIZATION OF**
16 **APPROPRIATIONS**

17 SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

18 (a) TITLE I.—

19 (1) IN GENERAL.—There are authorized to be ap-
20 propriated to carry out title I, \$56,000,000 for fiscal
21 year 1991, \$95,500,000 for fiscal year 1992, and
22 \$105,000,000 for fiscal year 1993.

23 (2) EARMARKS.—Of the aggregate amount ap-
24 propriated under paragraph (1) for title I for each
25 fiscal year—

1 (A) \$2,000,000 shall be made available to
2 carry out subtitle G of such title in each such
3 fiscal year;

4 (B) not less than 30 percent shall be avail-
5 able to carry out subtitle B of such title in each
6 such fiscal year;

7 (C) not less than 30 percent shall be avail-
8 able to carry out subtitle C of such title in each
9 such fiscal year; and

10 (D) not less than 30 percent shall be avail-
11 able to carry out subtitle D of such title in each
12 such fiscal year.

13 (b) TITLE III.—There are authorized to be appropri-
14 ated to carry out title III, \$5,000,000 for fiscal year 1991,
15 \$7,500,000 for fiscal year 1992, and \$10,000,000 for fiscal
16 year 1993.

17 TITLE VI—MISCELLANEOUS 18 PROVISIONS

19 SEC. 601. AMTRAK WASTE DISPOSAL.

20 (a) AMENDMENT TO RAIL PASSENGER SERVICE ACT.—
21 Section 306(i) of the Rail Passenger Service Act is amend-
22 ed—

23 (1) by inserting “and other Federal, State and
24 local laws” after “Public Health Service Act”; and

^
(42 U.S.C. 264)

1 (2) by adding at the end thereof the following
2 new sentences: "New intercity rail passenger cars
3 manufactured on or after October 15, 1990, shall be
4 built to provide for the discharge of human wastes
5 only at servicing facilities. The Corporation shall ret-
6 rofit those of its intercity rail passenger cars that
7 were manufactured after May 1, 1971, and before
8 October 15, 1990, with human waste disposal sys-
9 tems that provide for the discharge of human wastes
10 only at servicing facilities. Subject to the appropria-
11 tion of funds, (1) such retrofit program shall be com-
12 pleted within not later than October 15, 1996, and
13 (2) all cars that do not provide for the discharge of
14 human wastes only at servicing facilities shall be re-
15 moved from service after such date. The United
16 States district courts shall have original jurisdiction
17 over any civil actions brought by the Corporation to
18 enforce the exemption conferred hereunder and may
19 grant equitable or declaratory relief as requested by
20 the Corporation."

21 (b) PLAN.—Not later than 1 year after the date of en-
22 actment of this Act, the National Railroad Passenger Cor-
23 poration shall prepare and submit to the appropriate com-
24 mittees of Congress a plan that sets forth a schedule and
25 projected cost for the completion of the retrofit program

1 referred to in the amendment made by subsection (a)
2 within the time-limit set forth under such amendment.

3 (c) EFFECTIVE DATE.—The amendments made by sub-
4 section (a) shall take effect as if enacted on February 5,
5 1976.

6 (d) ENVIROMENTALLY SENSITIVE AREAS.—Not later
7 than 1 year after the date of enactment of this Act, the
8 Secretary of Transportation, after appropriate notice and
9 comment, and in consultation with the National Railroad
10 Passenger Corporation, the Administrator of the Environ-
11 mental Protection Agency, the Surgeon General, and State
12 and local officials, shall promulgate such regulations as
13 may be necessary to mitigate the impact of the discharge
14 of human waste from railroad passenger cars on areas that
15 may be considered environmentally sensitive.

16 (e) AVAILABILITY OF INFORMATION CONCERNING DIS-
17 POSAL OF WASTE.—Not later than 1 year after the date of
18 enactment of this Act, the Secretary of Transportation shall
19 promulgate regulations directing the National Railroad
20 Passenger Corporation to, where appropriate, publish print-
21 ed information, and make public address announcements,
22 explaining its existing disposal technology and the retrofit
23 and new equipment program, and encouraging passengers
24 using existing equipment not to dispose of wastes in sta-

1 tions, railroad yards, or while the train is moving through
2 environmentally sensitive areas.

3 SEC. 602. EXCHANGE PROGRAM WITH COUNTRIES IN TRANSITION
4 FROM TOTALITARIANISM TO DEMOCRACY.

5 (a) AUTHORIZATION OF ACTIVITIES; GRANTS OR CON-
6 TRACTS FOR EXCHANGES WITH FOREIGN COUNTRIES.—Pur-
7 suant to the Mutual Educational and Cultural Exchange
8 Act of 1961 and using the authorities contained therein, the
9 President is authorized, when the President considers that
10 it would strengthen international cooperative relations, to
11 provide, by grant, contract, or otherwise, for exchanges
12 with countries that are in transition from totalitarianism to
13 democracy, which include, but are not limited to Poland,
14 Hungary, Czechoslovakia, Bulgaria, and Romania—

15 (1) by financing studies, research, instruction,
16 and related activities—

17 (A) of or for American citizens and nation-
18 als in foreign countries; and

19 (B) of or for citizens and nationals of for-
20 eign countries in American private businesses,
21 trade associations, unions, chambers of com-
22 merce, and local, State, and Federal Govern-
23 ment agencies, located in or outside the United
24 States; and

1 (2) by financing visits and interchanges between
2 the United States and countries in transition from to-
3 talitarianism to democracy.

4 The program under this section shall be coordinated by the
5 United States Information Agency.

6 (b) TRANSFER OF FUNDS.—The President is authorized
7 to transfer to the appropriations account of the United
8 States Information Agency such sums as the President
9 shall determine to be necessary out of the travel accounts
10 of the departments and agencies of the United States,
11 except for the Department of State and the United States
12 Information Agency, as the President shall designate. Such
13 transfers shall be subject to the approval of the Committee
14 on Appropriations of the House of Representatives and the
15 Committee on Appropriations of the Senate. In addition,
16 the President is authorized to accept such gifts or cost-
17 sharing arrangements as may be proffered to sustain the
18 program under this section.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the
House to the title of the bill and agree to the same with an amendment as
follows:

In lieu of the matter proposed to be inserted by the amend-
ment of the House to the title of the bill, insert the following:
“An Act to enhance national and community service, and for
other purposes.”

And the House agree to the same.