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JUNE 14, 1993

**AMENDMENT OFFERED BY MR. OWENS
TO THE AMENDMENT IN THE NATURE
OF A SUBSTITUTE TO H.R. 2010**

(Requires minimum living allowance)

(Page & line nos. refer to Committee Substitute)

Page 60, strike line 10 and all that follows through
line 3 on page 61 and insert the following

1 “(1) LIVING ALLOWANCE REQUIRED.—Subject
2 to paragraph (3), a national service program carried
3 out using assistance provided under section 121
4 shall provide to each participant in the program a
5 living allowance in an amount equal or greater than
6 the average annual subsistence allowance provided to
7 VISTA volunteers under section 105 of the Domes-
8 tic Volunteer Service Act of 1973 (42 U.S.C. 4955).

9 “(2) LIMITATION ON FEDERAL SHARE.—The
10 amount of the annual living allowance provided
11 under paragraph (1) that may be paid using assist-
12 ance provided under section 121 and using any other
13 Federal funds shall not exceed 85 percent of the
14 total average annual provided to VISTA volunteers

1 under section 105 of the Domestic Volunteer Service
2 Act of 1973 (42 U.S.C. 4955).

Page 62, after line 4, insert the following:

3 “(6) WAIVER OR REDUCTION OF LIVING AL-
4 LOWANCE.—The Corporation may waive or reduce
5 the requirement of paragraph (1) with respect to
6 such national service program if it is demonstrated
7 that to provide the living allowance required by such
8 paragraph would cause undue hardship to such pro-
9 gram.

10 “(7) EVALUATION OF LIVING ALLOWANCE.—
11 Not later than 2 years after the effective date of this
12 subsection, the Corporation shall arrange for an
13 independent evaluation to determine the levels of liv-
14 ing allowances paid in all programs under this sub-
15 title, individually, by State, and by region. Such
16 evaluation shall determine the effects that such liv-
17 ing allowances have had on the ability of individuals
18 to participate in such programs.

Page 67, before line 3, insert the following new sub-
section (and redesignate the subsequent subsection ac-
cordingly)

19 (c) LIVING ALLOWANCE UNDER SUBTITLE I.—Sec-
20 tion 199M(a) of the National and Community Service Act

1 of 1990 (former section 133(a) of such Act as redesign-
2 nated in subsection (a)(3) of this section) (42 U.S.C.
3 12553(a)) is amended by striking paragraphs (1) and (2)
4 and inserting the following new paragraphs:

5 “(1) LIVING ALLOWANCE REQUIRED.—Subject
6 to paragraph (3), each participant in a full-time
7 youth corps program that receives assistance under
8 this subtitle shall receive a living allowance in an
9 amount equal or greater than the average annual
10 subsistence allowance provided to VISTA volunteers
11 under section 105 of the Domestic Volunteer Service
12 Act of 1973 (42 U.S.C. 4955).

13 “(2) LIMITATION ON FEDERAL SHARE.—The
14 amount of the annual living allowance provided
15 under paragraph (1) that may be paid using assist-
16 ance provided under this subtitle, section 121, and
17 any other Federal funds shall not exceed 85 percent
18 of the total average annual subsistence allowance
19 provided to VISTA volunteers under section 105 of
20 the Domestic Volunteer Service Act of 1973 (42
21 U.S.C. 4955).

22 “(3) MAXIMUM LIVING ALLOWANCE.—The total
23 amount of an annual living allowance that may be
24 provided to a participant in a full-time youth corps
25 program that receives assistance under this subtitle

1 shall not exceed 200 percent of the average annual
2 subsistence allowance provided to VISTA volunteers
3 under section 105 of the Domestic Volunteer Service
4 Act of 1973 (42 U.S.C. 4955).”.

5 “(4) WAIVER OR REDUCTION OF LIVING AL-
6 LOWANCE.—The Corporation may waive or reduce
7 the requirement of paragraph (1) with respect to
8 such national service program if it is demonstrated
9 that to provide the living allowance required by such
10 paragraph would cause undue hardship to such pro-
11 gram.

12 “(5) EVALUATION OF LIVING ALLOWANCE.—
13 Not later than 2 years after the effective date of this
14 subsection, the Corporation shall arrange for an
15 independent evaluation to determine the levels of liv-
16 ing allowances paid in all programs under this sub-
17 title, individually, by State, and by region. Such
18 evaluation shall determine the effects that such liv-
19 ing allowances have had on the ability of individuals
20 to participate in such programs.

JUNE 6, 1993

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
To H.R. 2010
OFFERED BY MR. FORD**

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “National Service Trust Act of 1993”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

TITLE I—PROGRAMS AND RELATED PROVISIONS

Subtitle A—Programs

Sec. 101. Federal investment in support of national service.

Sec. 102. National Service Trust and provision of national service educational awards.

Sec. 103. School-based and community-based service-learning programs.

Sec. 104. Quality and innovation activities.

Sec. 105. Public Lands Corps.

Subtitle B—Related Provisions

Sec. 111. Definitions.

Sec. 112. Authority to make State grants.

Sec. 113. Family and medical leave.

Sec. 114. Reports.

Sec. 115. Nondiscrimination.

Sec. 116. Notice, hearing, and grievance procedures.

Sec. 117. Nondisplacement.

Sec. 118. Evaluation.

Sec. 119. Engagement of participants.

Sec. 120. Contingent extension.

Sec. 121. Repeals.

TITLE II—ORGANIZATION

- Sec. 201. State Commissions on National Service.
- Sec. 202. Interim authorities of the Corporation for National Service and ACTION Agency.
- Sec. 203. Final authorities of the Corporation for National Service.

TITLE III—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

- Sec. 301. Authorization of appropriations.

Subtitle B—Domestic Volunteer Service Act of 1973

- Sec. 311. Short title; references.

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

- Sec. 321. Purpose of the VISTA program.
- Sec. 322. Selection and assignment of VISTA volunteers.
- Sec. 323. Terms and periods of service.
- Sec. 324. Support for VISTA volunteers.
- Sec. 325. Participation of younger and older persons.
- Sec. 326. Literacy activities.
- Sec. 327. Applications for assistance.
- Sec. 328. Repeal of authority for student community service programs.
- Sec. 329. University year for VISTA.
- Sec. 330. Authority to establish and operate special volunteer and demonstration programs.
- Sec. 331. Technical and financial assistance.
- Sec. 332. Elimination of separate authority for drug abuse programs.

CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS

- Sec. 341. National Senior Volunteer Corps.
- Sec. 342. The Retired and Senior Volunteer Program.
- Sec. 343. Operation of the Retired and Senior Volunteer Program.
- Sec. 344. Services under the Foster Grandparent Program.
- Sec. 345. Stipends for low-income volunteers.
- Sec. 346. Conditions of grants and contracts.
- Sec. 347. Agreements with other Federal agencies.
- Sec. 348. Minority group participation.
- Sec. 349. Programs of national significance.
- Sec. 350. Demonstration programs.

CHAPTER 3—ADMINISTRATION

- Sec. 361. Purpose of agency.
- Sec. 362. Authority of the Director.
- Sec. 362A. Political activities.
- Sec. 363. Compensation for volunteers.
- Sec. 364. Repeal of report.
- Sec. 365. Application of Federal law.
- Sec. 366. Nondiscrimination provisions.
- Sec. 367. Elimination of separate requirements for setting regulations.
- Sec. 368. Clarification of role of Inspector General.
- Sec. 369. Copyright protection.

Sec. 370. Deposit requirement credit for service as a volunteer.

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER
AMENDMENTS

Sec. 381. Authorization of appropriations for title I.

Sec. 382. Authorization of appropriations for title II.

Sec. 383. Authorization of appropriations for title IV.

Sec. 384. Conforming amendments; compensation for VISTA FECA claimants.

Sec. 385. Repeal of authority.

CHAPTER 5—GENERAL PROVISIONS

Sec. 391. Technical and conforming amendments.

Sec. 392. Effective date.

TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS

Sec. 401. Definition of Director.

Sec. 402. References to ACTION and the ACTION Agency.

Sec. 403. Definitions.

Sec. 404. References to the Commission on National and Community Service.

Sec. 405. References to Directors of the Commission on National and Community Service.

Sec. 406. Effective date.

1 SEC. 2. FINDINGS AND PURPOSE.

2 (a) IN GENERAL.—Section 2 of the National and
3 Community Service Act of 1990 (42 U.S.C. 12501) is
4 amended to read as follows:

5 “SEC. 2. FINDINGS AND PURPOSE.

6 “(a) FINDINGS.—The Congress finds the following:

7 “(1) Throughout the United States, there are
8 pressing unmet human, educational, environmental,
9 and public safety needs.

10 “(2) Americans desire to affirm common re-
11 sponsibilities and shared values that transcend race,
12 religion, disability, or region.

1 “(3) The rising costs of post-secondary edu-
2 cation are putting higher education out of reach for
3 an increasing number of citizens.

4 “(4) Americans of all ages can improve their
5 communities and become better citizens through
6 service to the United States.

7 “(5) Nonprofit organizations, local govern-
8 ments, States, and the Federal Government are al-
9 ready supporting a wide variety of national service
10 programs that deliver needed services in a cost-effec-
11 tive manner.

12 “(6) Residents of low-income communities, es-
13 pecially youths and young adults in these commu-
14 nities, can be empowered through their service to
15 help provide future community leadership.

16 “(b) PURPOSES.—It is the purpose of this Act to—

17 “(1) meet the unmet human, educational, envi-
18 ronmental, and public safety needs of the United
19 States, without displacing existing workers;

20 “(2) renew the ethic of civic responsibility and
21 the spirit of community throughout the United
22 States;

23 “(3) expand educational opportunity by reward-
24 ing individuals who participate in national service

1 with an increased ability to pursue higher education
2 or job training;

3 “(4) encourage citizens of the United States,
4 regardless of age, income, or disability, to engage in
5 full-time or part-time national service;

6 “(5) reinvent government to eliminate duplica-
7 tion, support locally established initiatives, require
8 measurable goals for performance, and offer flexibil-
9 ity in meeting those goals;

10 “(6) expand and strengthen existing service
11 programs with demonstrated experience in providing
12 structured service opportunities with visible benefits
13 to the participants and community;

14 “(7) build on the existing organizational service
15 infrastructure of Federal, State, and local programs
16 and agencies to expand full-time and part-time serv-
17 ice opportunities for all citizens; and

18 “(8) provide tangible benefits to the commu-
19 nities in which national service is performed.”.

20 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
21 tional and Community Service Act of 1990 (Public Law
22 101-610; 104 Stat. 3127) is amended by striking the item
23 relating to section 2 and inserting the following new item:

“Sec. 2. Findings and purpose.”.

1 **TITLE I—PROGRAMS AND**
2 **RELATED PROVISIONS**
3 **Subtitle A—Programs**

4 **SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NA-**
5 **TIONAL SERVICE.**

6 (a) **TRANSFER OF EXISTING SUBTITLE.**—Title I of
7 the National and Community Service Act of 1990 (42
8 U.S.C. 12501 et seq.) is amended—

9 (1) by redesignating subtitle C (42 U.S.C.
10 12653 et seq.) as subtitle I;

11 (2) by inserting subtitle I (as redesignated by
12 paragraph (1) of this subsection) after subtitle H;
13 and

14 (3) by redesignating sections 120 through 136
15 as sections 199 through 199O, respectively.

16 (b) **ASSISTANCE PROGRAM AUTHORIZED.**—Title I of
17 the National and Community Service Act of 1990 (42
18 U.S.C. 12501 et seq.) is amended by inserting after sub-
19 title B the following new subtitle:

1 **“Subtitle C—National Service Trust**
2 **Program**

3 **“PART I—INVESTMENT IN NATIONAL SERVICE**

4 **“SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE AND AP-**
5 **PROVED NATIONAL SERVICE POSITIONS.**

6 “(a) PROVISION OF ASSISTANCE.—The Corporation
7 for National Service may make grants to States, sub-
8 divisions of States, Indian tribes, public and private not-
9 for-profit organizations, and institutions of higher edu-
10 cation for the purpose of assisting the recipients of the
11 grants—

12 “(1) to carry out full- or part-time national
13 service programs, including summer programs, de-
14 scribed in section 122(a); and

15 “(2) to make grants in support of other na-
16 tional service programs described in section 122(a)
17 that are carried out by other entities.

18 “(b) AGREEMENTS WITH FEDERAL AGENCIES.—The
19 Corporation may enter into a contract or cooperative
20 agreement with another Federal agency to support a na-
21 tional service program carried out by the agency. The sup-
22 port provided by the Corporation pursuant to the contract
23 or cooperative agreement may include the transfer to the
24 Federal agency of funds available to the Corporation
25 under this subtitle. A Federal agency receiving assistance

1 under this subsection shall not be required to satisfy the
2 matching funds requirements specified in subsection (e).
3 However, the supplementation requirements specified in
4 section 173 shall apply with respect to the Federal na-
5 tional service programs supported with such assistance. A
6 Federal agency receiving assistance under this subsection
7 shall consult with the State Commissions for those States
8 in which projects will be conducted in order to ensure that
9 the projects do not duplicate existing State or local pro-
10 grams.

11 “(c) PROVISION OF APPROVED NATIONAL SERVICE
12 POSITIONS.—As part of the provision of assistance under
13 subsections (a) and (b), the Corporation shall—

14 “(1) approve the provision of national service
15 educational awards described in subtitle D for the
16 participants who serve in national service programs
17 carried out using such assistance; and

18 “(2) deposit in the National Service Trust es-
19 tablished in section 145(a) an amount equal to the
20 product of—

21 “(A) the value of a national service edu-
22 cational award under section 147; and

23 “(B) the total number of approved national
24 service positions to be provided.

1 “(d) FIVE PERCENT LIMITATION ON ADMINISTRA-
2 TIVE COSTS.—

3 “(1) LIMITATION.—Not more than 5 percent of
4 the amount of assistance provided to the original re-
5 cipient of a grant or transfer of assistance under
6 subsection (a) or (b) for a fiscal year may be used
7 to pay for administrative costs incurred by—

8 “(A) the recipient of the assistance; and

9 “(B) national service programs carried out
10 or supported with the assistance.

11 “(2) RULES ON USE.—The Corporation may by
12 rule prescribe the manner and extent to which—

13 “(A) assistance provided under subsection
14 (a) or (b) may be used to cover administrative
15 costs; and

16 “(B) that portion of the assistance avail-
17 able to cover administrative costs should be dis-
18 tributed between—

19 “(i) the original recipient of the grant
20 or transfer of assistance under such sub-
21 section; and

22 “(ii) national service programs carried
23 out or supported with the assistance.

24 “(e) MATCHING FUNDS REQUIREMENTS.—

1 “(1) REQUIREMENTS.—Except as provided in
2 section 140, the Federal share of the cost of carry-
3 ing out a national service program that receives the
4 assistance under subsection (a), whether the assist-
5 ance is provided directly or as a subgrant from the
6 original recipient of the assistance, may not exceed
7 75 percent of such cost.

8 “(2) CALCULATION.—In providing for the re-
9 maining share of the cost of carrying out a national
10 service program, the program—

11 “(A) shall provide for such share through
12 a payment in cash or in kind, fairly evaluated,
13 including facilities, equipment, or services; and

14 “(B) may provide for such share through
15 State sources, local sources, or other Federal
16 sources (other than the use of funds made
17 available under the national service laws).

18 “(3) WAIVER.—The Corporation may waive in
19 whole or in part the requirements of paragraph (1)
20 with respect to a national service program in any fis-
21 cal year if the Corporation determines that such a
22 waiver would be equitable due to a lack of available
23 financial resources at the local level.

1 **"SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGI-**
2 **BLE FOR PROGRAM ASSISTANCE.**

3 **"(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—**

4 The recipient of a grant under section 121(a) and each
5 Federal agency receiving assistance under section 121(b)
6 shall use the assistance, directly or through subgrants to
7 other entities, to carry out full- or part-time national serv-
8 ice programs, including summer programs, that address
9 unmet human, educational, environmental, or public safe-
10 ty needs. Subject to subsection (b)(1), these national serv-
11 ice programs may include the following types of national
12 service programs:

13 **"(1) A community corps program that meets**
14 unmet human, educational, environmental, or public
15 safety needs and promotes greater community unity
16 through the use of organized teams of participants
17 of varied social and economic backgrounds, skill lev-
18 els, physical and developmental capabilities, ages,
19 ethnic backgrounds, or genders.

20 **"(2) A full-time, year-round youth corps pro-**
21 gram or full-time summer youth corps program,
22 such as a conservation corps or youth service corps
23 (including the Public Lands Corps established under
24 the Public Lands Corps Act of 1993 and other con-
25 servation corps or youth service corps that performs

1 service on Federal or other public lands or on Indian
2 lands), that—

3 “(A) undertakes meaningful service
4 projects with visible public benefits, including
5 natural resource, urban renovation, or human
6 services projects;

7 “(B) includes as participants youths and
8 young adults between the ages of 16 and 25, in-
9 clusive, including out-of-school youths and other
10 disadvantaged youths (such as youths with lim-
11 ited basic skills, youths in foster care who are
12 becoming too old for foster care, youths of lim-
13 ited-English proficiency, and homeless youths,
14 and youths with disabilities) who are between
15 those ages; and

16 “(C) provides those participants who are
17 youths and young adults with—

18 “(i) crew-based, highly structured,
19 and adult-supervised work experience, life
20 skills, education, career guidance and
21 counseling, employment training, and sup-
22 port services; and

23 “(ii) the opportunity to develop citi-
24 zenship values and skills through service to
25 their community and the United States.

1 “(3) A program that provides specialized train-
2 ing to individuals in service-learning and places the
3 individuals after such training in positions, including
4 positions as service-learning coordinators, to facili-
5 tate service-learning in programs eligible for funding
6 under part I subtitle B.

7 “(4) A service program that is targeted at spe-
8 cific unmet human, educational, environmental, or
9 public safety needs and that—

10 “(A) recruits individuals with special skills
11 or provides specialized preservice training to en-
12 able participants to be placed individually or in
13 teams in positions in which the participants can
14 meet such unmet needs; and

15 “(B) if consistent with the purposes of the
16 program, brings participants together for addi-
17 tional training and other activities designed to
18 foster civic responsibility, increase the skills of
19 participants, and improve the quality of the
20 service provided.

21 “(5) An individualized placement program that
22 includes regular group activities, such as leadership
23 training and special service projects.

24 “(6) A campus-based program that is designed
25 to provide substantial service in a community during

1 the school term and during summer or other vaca-
2 tion periods through the use of—

3 “(A) students who are attending an insti-
4 tution of higher education, including students
5 supported by work-study funds under part C of
6 title IV of the Higher Education Act of 1965
7 (42 U.S.C. 2751 et seq.);

8 “(B) teams composed of such students; or

9 “(C) teams composed of a combination of
10 such students and community residents.

11 “(7) A preprofessional training program in
12 which students enrolled in an institution of higher
13 education—

14 “(A) receive training in specified fields,
15 which may include classes containing service-
16 learning;

17 “(B) perform service related to such train-
18 ing outside the classroom during the school
19 term and during summer or other vacation peri-
20 ods; and

21 “(C) agree to provide service upon gradua-
22 tion to meet unmet human, educational, envi-
23 ronmental, or public safety needs related to
24 such training.

1 “(8) A professional corps program that recruits,
2 trains, and places qualified participants in
3 positions—

4 “(A) as teachers, nurses, police officers,
5 early childhood development staff, or other pro-
6 fessionals providing service to meet educational,
7 human, environmental, or public safety needs in
8 communities with an inadequate number of
9 such professionals;

10 “(B) that may include a salary in excess of
11 the maximum living allowance authorized in
12 subsection (a)(3) of section 140, as provided in
13 subsection (c) of such section; and

14 “(C) that are sponsored by public or pri-
15 vate not-for-profit employers who agree to pay
16 100 percent of the salaries and benefits (other
17 than any national service educational award
18 under subtitle D) of the participants.

19 “(9) A program in which economically dis-
20 advantaged individuals (including individuals with
21 disabilities) who are between the ages of 16 and 25
22 years of age, inclusive, are provided with opportuni-
23 ties to perform service that, while enabling such in-
24 dividuals to obtain the education and employment

1 skills necessary to achieve economic self-sufficiency,
2 will help their communities meet—

3 “(A) the housing needs of low-income fam-
4 ilies and the homeless; and

5 “(B) the need for community facilities in
6 low-income areas.

7 “(10) A national service entrepreneur program
8 that identifies, recruits, and trains gifted young
9 adults of all backgrounds and assists them in de-
10 signing solutions to community problems.

11 “(11) An intergenerational program that com-
12 bines students, out-of-school youths, and older
13 adults as participants to provide needed community
14 services, including an intergenerational component
15 for other national service programs described in this
16 subsection.

17 “(12) A program that is administered by a
18 combination of not-for-profit organizations located in
19 a low-income area, provides a broad range of serv-
20 ices to residents of such area, is governed by a board
21 composed in significant part of low-income individ-
22 uals, and is intended to provide opportunities for in-
23 dividuals or teams of individuals to engage in com-
24 munity projects in such area that meet unaddressed

1 community and individual needs, including projects
2 that would—

3 “(A) meet the needs of low-income children
4 and youth aged 18 and younger, such as pro-
5 viding after-school ‘safe-places’ with opportuni-
6 ties for learning and recreation; or

7 “(B) be directed to other important
8 unaddressed needs in such area.

9 “(13) Such other national service programs ad-
10 dressing unmet human, educational, environmental,
11 or public safety needs as the Corporation may des-
12 ignate.

13 “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-
14 GIBILITY.—

15 “(1) ESTABLISHMENT BY CORPORATION.—The
16 Corporation shall establish qualification criteria for
17 different types of national service programs for the
18 purpose of determining whether a particular national
19 service program should be considered to be a na-
20 tional service program eligible to receive assistance
21 or approved national service positions under this
22 subtitle.

23 “(2) CONSULTATION.—In establishing qualifica-
24 tion criteria under paragraph (1), the Corporation
25 shall consult with organizations and individuals with

1 extensive experience in developing and administering
2 effective national service programs or regarding the
3 delivery of human, educational, environmental, or
4 public safety services to communities or persons.

5 “(3) APPLICATION TO SUBGRANTS.—The quali-
6 fication criteria established by the Corporation under
7 paragraph (1) shall also be used by each recipient of
8 assistance under section 121(a) that uses any por-
9 tion of the assistance to conduct a grant program to
10 support other national service programs.

11 “(4) ENCOURAGEMENT OF
12 INTERGENERATIONAL COMPONENTS OF PRO-
13 GRAMS.—The Corporation shall encourage national
14 service programs eligible to receive assistance or ap-
15 proved national service positions under this subtitle
16 to establish, if consistent with the purposes of the
17 program, an intergenerational component of the pro-
18 gram that combines students, out-of-school youths,
19 and older adults as participants to provide services
20 to address unmet human, educational, environ-
21 mental, or public safety needs.

22 “(c) NATIONAL SERVICE PRIORITIES.—

23 “(1) ESTABLISHMENT BY CORPORATION.—In
24 order to concentrate national efforts on meeting cer-
25 tain unmet human, educational, environmental, or

1 public safety needs and to achieve the other pur-
2 poses of this Act, the Corporation may establish,
3 and periodically alter, priorities regarding the types
4 of national service programs to be assisted under
5 section 121 and the purposes for which such assist-
6 ance may be used.

7 “(2) NOTICE TO APPLICANTS.—The Cor-
8 poration shall provide advance notice to potential ap-
9 plicants of any national service priorities to be in ef-
10 fect under this subsection for a fiscal year. The no-
11 tice shall specifically include—

12 “(A) a description of any alteration made
13 in the priorities since the previous notice; and

14 “(B) a description of the national service
15 programs that are designated by the Cor-
16 poration under section 133(d)(2) as eligible for
17 priority consideration in the next competitive
18 distribution of assistance under section 121(a).

19 “(3) APPLICATION TO SUBGRANTS.—Any na-
20 tional service priorities established by the Cor-
21 poration under this subsection shall also be used by
22 each recipient of funds under section 121(a) that
23 uses any portion of the assistance to conduct a grant
24 program to support other national service programs.

1 **"SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGI-**
2 **BLE FOR APPROVAL FOR NATIONAL SERVICE**
3 **EDUCATIONAL AWARDS.**

4 "The Corporation may approve of any of the fol-
5 lowing service positions as an approved national service
6 position that includes the national service educational
7 award described in subtitle D as one of the benefits to
8 be provided for successful service in the position:

9 "(1) A position for a participant in a national
10 service program described in section 122(a) that re-
11 ceives assistance under subsection (a) or (b) of sec-
12 tion 121.

13 "(2) A position for a participant in a program
14 that—

15 "(A) is carried out by a State, a sub-
16 division of a State, an Indian tribe, a public or
17 private not-for-profit organization, an institu-
18 tion of higher education, or a Federal agency;
19 and

20 "(B) would be eligible to receive assistance
21 under section 121(a), based on criteria estab-
22 lished by the Corporation, but has not applied
23 for such assistance.

24 "(3) A position involving service as a VISTA
25 volunteer under title I of the Domestic Volunteer
26 Service Act of 1973 (42 U.S.C. 4951 et seq.).

1 “(4) A position facilitating service-learning in a
2 program described in section 122(a)(3) that is eligi-
3 ble for assistance under part I of subtitle B.

4 “(5) A position for a participant in the Civilian
5 Community Corps under subtitle E.

6 “(6) A position involving service as a crew lead-
7 er in a youth corps program or a similar position
8 supporting a national service program that receives
9 an approved national service position.

10 “(7) Such other national service positions as
11 the Corporation considers to be appropriate.

12 **“SEC. 124. TYPES OF PROGRAM ASSISTANCE.**

13 “(a) **PLANNING ASSISTANCE.**—The Corporation may
14 provide assistance under section 121 to a qualified appli-
15 cant that submits an application under section 130 for the
16 planning of a national service program. Assistance pro-
17 vided in accordance with this subsection may cover a pe-
18 riod of not more than 1 year.

19 “(b) **OPERATIONAL ASSISTANCE.**—The Corporation
20 may provide assistance under section 121 to a qualified
21 applicant that submits an application under section 130
22 for the establishment, operation, or expansion of a na-
23 tional service program. Assistance provided in accordance
24 with this subsection may cover a period of not more than

1 3 years, but may be renewed by the Corporation upon con-
2 sideration of a new application under section 130.

3 “(c) REPLICATION ASSISTANCE.—The Corporation
4 may provide assistance under section 121 to a qualified
5 applicant that submits an application under section 130
6 for the expansion of a proven national service program to
7 another geographical location. Assistance provided in ac-
8 cordance with this subsection may cover a period of not
9 more than 3 years, but may be renewed by the Cor-
10 poration upon consideration of a new application under
11 section 130.

12 “(d) APPLICATION TO SUBGRANTS.—The require-
13 ments of this section shall apply to any State or other
14 applicant receiving assistance under section 121 that pro-
15 poses to conduct a grant program using the assistance to
16 support other national service programs.

17 **“SEC. 125. TRAINING AND TECHNICAL ASSISTANCE.**

18 “(a) TRAINING PROGRAMS.—The Corporation may
19 conduct, directly or by grant or contract, appropriate
20 training programs regarding national service in order to—

21 “(1) improve the ability of national service pro-
22 grams assisted under section 121 to meet human,
23 educational, environmental, or public safety needs in
24 communities—

25 “(A) where services are needed most; and

1 “(B) where programs do not currently
2 exist or are currently too limited to meet com-
3 munity needs;

4 “(2) promote leadership development in such
5 programs;

6 “(3) improve the instructional and pro-
7 grammatic quality of such programs to build an
8 ethic of civic responsibility;

9 “(4) develop the management and budgetary
10 skills of program operators; and

11 “(5) provide for or improve the training pro-
12 vided to the participants in such programs.

13 “(b) TECHNICAL ASSISTANCE.—The Corporation
14 shall make appropriate technical assistance available to
15 States, subdivisions of States, Federal agencies, Indian
16 tribes, public and private not-for-profit organizations, and
17 institutions of higher education that desire—

18 “(1) to develop national service programs; or

19 “(2) to apply for assistance under such section
20 or under a grant program conducted using assist-
21 ance provided under such section.

22 “SEC. 126. OTHER SPECIAL ASSISTANCE.

23 “(a) SUPPORT FOR STATE COMMISSIONS.—

24 “(1) ASSISTANCE AUTHORIZED.—The Cor-
25 poration may make assistance available to assist a

1 State to establish or operate the State Commission
2 on National Service required to be established by the
3 State under section 178.

4 “(2) AMOUNT OF ASSISTANCE.—Except as pro-
5 vided in paragraph (3), the amount of assistance
6 that may be provided to a State Commission under
7 this subsection, together with other Federal funds
8 available to establish or operate the State Commis-
9 sion, may not exceed—

10 “(A) 85 percent of the total cost to estab-
11 lish or operate the State Commission for the
12 first year for which the State Commission re-
13 ceives assistance under this subsection; and

14 “(B) such smaller percentage of such cost
15 as the Corporation may establish for the sec-
16 ond, third, and fourth years of such assistance
17 in order to ensure that the Federal share does
18 not exceed 50 percent of such costs for the fifth
19 year, and any subsequent year, for which the
20 State Commission receives assistance under this
21 subsection.

22 “(3) MAXIMUM AMOUNT OF ASSISTANCE.—The
23 total amount of assistance that may be provided to
24 a State Commission under this subsection for a year
25 may not exceed \$300,000.

1 “(b) DISASTER SERVICE.—The Corporation may un-
2 dertake activities to involve youth corps programs de-
3 scribed in section 122(a)(2) and other programs that re-
4 ceive assistance under the national service laws in relief
5 efforts in response to an emergency or major disaster de-
6 clared by the President under the Robert T. Stafford Dis-
7 aster Relief and Emergency Assistance Act (42 U.S.C.
8 5121 et seq.).

9 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
10 PROGRAMS.—

11 “(1) ASSISTANCE AUTHORIZED.—The Cor-
12 poration may make challenge grants under this sub-
13 section to a national service program that receives
14 assistance under section 121. The Corporation shall
15 develop criteria for the selection of challenge grant
16 recipients so as to make the grants widely available
17 to a variety of high-quality national service programs
18 with demonstrated experience in providing service
19 opportunities with visible benefits to the participants
20 and to the community served.

21 “(2) AMOUNT OF ASSISTANCE.—A challenge
22 grant under this subsection may provide not more
23 than \$1 of assistance under this subsection for each
24 \$1 in cash raised by the national service program
25 from private sources in excess of amounts required

1 to be provided by the program to satisfy matching
2 funds requirements under section 121(e). The Cor-
3 poration shall establish a ceiling on the amount of
4 assistance that may be provided to a national service
5 program under this subsection.

6 **"PART II—APPLICATION AND APPROVAL**
7 **PROCESS**

8 **"SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-**
9 **TIONAL SERVICE POSITIONS BY COMPETI-**
10 **TIVE AND OTHER MEANS.**

11 **"(a) ALLOTMENTS OF ASSISTANCE AND APPROVED**
12 **POSITIONS TO STATES AND INDIAN TRIBES.—**

13 **"(1) 33 $\frac{1}{3}$ PERCENT ALLOTMENT OF ASSIST-**
14 **ANCE CERTAIN STATES.—**Of the funds allocated by
15 the Corporation for provision of assistance under
16 subsections (a) and (b) of section 121 for a fiscal
17 year, the Corporation shall make a grant under sec-
18 tion 121(a) (and a corresponding allotment of ap-
19 proved national service positions) to each of the sev-
20 eral States, the District of Columbia, and the Com-
21 monwealth of Puerto Rico that has an application
22 approved by the Corporation under section 133. The
23 amount allotted as a grant to each such State under
24 this paragraph for a fiscal year shall be equal to the
25 amount that bears the same ratio to 33 $\frac{1}{3}$ percent

1 of the allocated funds for that fiscal year as the pop-
2 ulation of the State bears to the total population of
3 the several States, the District of Columbia, and the
4 Commonwealth of Puerto Rico.

5 “(2) ONE PERCENT ALLOTMENT FOR CERTAIN
6 TERRITORIES AND POSSESSIONS.—Of the funds allo-
7 cated by the Corporation for provision of assistance
8 under subsections (a) and (b) of section 121 for a
9 fiscal year, the Corporation shall reserve 1 percent
10 of the allocated funds for grants under section
11 121(a) to the Virgin Islands, Guam, American
12 Samoa, and the Commonwealth of the Northern
13 Mariana Islands upon approval of an application by
14 the Corporation under section 133. Palau shall also
15 be eligible for a grant under this paragraph from the
16 allotment until such time as the Compact of Free
17 Association with Palau is ratified. The amount allot-
18 ted as a grant to each such territory or possession
19 under this paragraph for a fiscal year shall be equal
20 to the amount that bears the same ratio to 1 percent
21 of the allocated funds for that fiscal year as the pop-
22 ulation of the territory or possession bears to the
23 total population of such territories and possessions.

24 “(3) ONE PERCENT ALLOTMENT FOR INDIAN
25 TRIBES.—Of the funds allocated by the Corporation

1 for provision of assistance under subsections (a) and
2 (b) of section 121 for a fiscal year, the Corporation
3 shall reserve 1 percent of the allocated funds for
4 grants under section 121(a) to Indian tribes, to be
5 allotted by the Corporation on a competitive basis in
6 accordance with their respective needs.

7 “(4) EFFECT OF FAILURE TO APPLY.—If a
8 State or Indian tribe fails to apply for, or fails to
9 give notice to the Corporation of its intent to apply
10 for, an allotment under this subsection, the Cor-
11 poration shall use the amount that would have been
12 allotted under this subsection to the State or Indian
13 tribe—

14 “(A) to make grants (and provide ap-
15 proved national service positions in connection
16 with such grants) to other eligible entities
17 under section 121 that propose to carry out na-
18 tional service programs in the State or on be-
19 half of the Indian tribe; and

20 “(B) after making grants under paragraph
21 (1), to make a reallocation to other States and
22 Indian tribes with approved applications under
23 section 130.

24 “(b) RESERVATION OF APPROVED POSITIONS.—The
25 Corporation shall ensure that each individual selected dur-

1 ing a fiscal year for assignment as a VISTA volunteer
2 under title I of the Domestic Volunteer Service Act of
3 1973 (42 U.S.C. 4951 et seq.) or as a participant in the
4 Civilian Community Corps Demonstration Program under
5 subtitle E shall receive the national service educational
6 award described in subtitle D if the individual satisfies the
7 eligibility requirements for the award. Funds for approved
8 national service positions required by this paragraph for
9 a fiscal year shall be deducted from the total funding for
10 approved national service positions to be available for dis-
11 tribution under subsections (a) and (d) for that fiscal year.

12 . “(c) RESERVATION FOR SPECIAL ASSISTANCE.—Sub-
13 ject to section 501(a)(2), of the funds allocated by the
14 Corporation for provision of assistance under subsections
15 (a) and (b) of section 121 for a fiscal year, the Cor-
16 poration may reserve such amount as the Corporation con-
17 siders to be appropriate for the purpose of making assist-
18 ance available under sections 125 and 126. However, the
19 Corporation may not reserve more than \$10,000,000 for
20 a fiscal year for challenge grants under section 126(c).

21 “(d) COMPETITIVE DISTRIBUTION OF REMAINING
22 FUNDS AND APPROVED POSITIONS.—

23 “(1) STATE COMPETITION.—Of the funds allo-
24 cated by the Corporation for provision of assistance
25 under subsections (a) and (b) of section 121 for a

1 fiscal year, the Corporation shall use not less than
2 33 $\frac{1}{3}$ percent of the allocated funds to make grants
3 to States on a competitive basis under section
4 121(a).

5 “(2) FEDERAL AGENCIES AND OTHER APPLI-
6 CANTS.—The Corporation shall distribute on a com-
7 petitive basis to subdivisions of States, Indian tribes,
8 public and private not-for-profit organizations (in-
9 cluding labor organizations), institutions of higher
10 education, and Federal agencies the remainder of
11 the funds allocated by the Corporation for provision
12 of assistance under section 121 for a fiscal year,
13 after operation of paragraph (1) and subsections (a)
14 and (c). However, the Corporation may not provide
15 more than $\frac{1}{3}$ of the funds available for competitive
16 distribution under this paragraph for a fiscal year to
17 Federal agencies under section 121(b).

18 “(3) LIMITATIONS.—The Corporation may limit
19 the categories of eligible applicants for assistance
20 under paragraph (2) consistent with the priorities
21 established by the Corporation under section
22 133(d)(2).

23 “(e) APPLICATION REQUIRED.—The allotment of as-
24 sistance and approved national service positions to a State
25 or Indian tribe under subsection (a), and the competitive

1 distribution of assistance and approved national service
2 positions under subsection (d), shall be made by the Cor-
3 poration only pursuant to an application submitted by a
4 State or other applicant under section 130 and approved
5 by the Corporation under section 133.

6 “(f) DISTRIBUTION OF APPROVED POSITIONS SUB-
7 JECT TO AVAILABLE FUNDS.—The Corporation may not
8 distribute approved national service positions under this
9 section for a fiscal year in excess of the number of such
10 positions for which the Corporation has sufficient available
11 funds in the National Service Trust for that fiscal year
12 to satisfy the maximum possible obligations to be incurred
13 by the United States to provide the national service edu-
14 cational award corresponding to service in these positions.

15 “(g) SPONSORSHIP OF APPROVED NATIONAL SERV-
16 ICE POSITIONS.—

17 “(1) SPONSORSHIP AUTHORIZED.—The Cor-
18 poration may enter into agreements with persons or
19 entities who offer to sponsor national service posi-
20 tions for which the person or entity will be respon-
21 sible for supplying the funds necessary to provide a
22 national service educational award. The distribution
23 of these approved national service positions shall be
24 made pursuant to the agreement, and the creation
25 of these positions shall not be taken into consider-

1 ation in determining the number of approved na-
2 tional service positions to be available for dis-
3 tribution under this section.

4 “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-
5 vided pursuant to an agreement under paragraph
6 (1) and any other funds contributed to the Cor-
7 poration to support the activities of the Corporation
8 under the national service laws shall be deposited in
9 the National Service Trust established in section
10 145 until such time as the funds are needed.

11 **“SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**
12 **NATIONAL SERVICE POSITIONS.**

13 “(a) TIME, MANNER, AND CONTENT OF APPLICA-
14 TION.—To be eligible to receive assistance under section
15 121 and approved national service positions for partici-
16 pants who serve in the national service programs to be
17 carried out using the assistance, a State, subdivision of
18 a State, Indian tribe, public or private not-for-profit orga-
19 nization, institution of higher education, or Federal agen-
20 cy shall prepare and submit to the Corporation an applica-
21 tion at such time, in such manner, and containing such
22 information as the Corporation may reasonably require.

23 “(b) TYPES OF APPLICATION INFORMATION.—In
24 order to have adequate information upon which to consider
25 an application under section 133, the Corporation may re-

1 quire the following information to be provided in an appli-
2 cation submitted under subsection (a):

3 “(1) A description of the national service pro-
4 grams proposed to be carried out directly by the ap-
5 plicant using assistance provided under section 121.

6 “(2) A description of the national service pro-
7 grams that are selected by the applicant to receive
8 a grant from assistance requested under section 121
9 and a description of the process and criteria by
10 which the programs were selected, unless such a
11 process conflicts with State or local law, regulation,
12 or policy.

13 “(3) A description of other funding sources to
14 be used, or sought to be used, for the national serv-
15 ice programs referred to in paragraphs (1) and (2),
16 and, if the application is submitted for the purpose
17 of seeking a renewal of assistance, a description of
18 the success of the programs in not increasing their
19 reliance on funds provided under this Act.

20 “(4) A description of the extent to which the
21 projects to be conducted using the assistance will ad-
22 dress unmet human, educational, environmental, or
23 public safety needs and produce a direct benefit for
24 the community in which the projects are performed.

1 “(5) A description of the plan to be used to re-
2 cruit participants, including youth with disabilities
3 and economically disadvantaged youth, for the na-
4 tional service programs referred to in paragraphs (1)
5 and (2).

6 “(6) A description of the manner in which the
7 national service programs referred to in paragraphs
8 (1) and (2) build on existing programs, including
9 Federal programs;

10 “(7) A description of the manner in which the
11 national service programs referred to in paragraphs
12 (1) and (2) will involve participants—

13 “(A) in projects that build an ethic of civic
14 responsibility and produce a positive change in
15 the lives of participants through training and
16 participation in meaningful service experiences
17 and opportunities for reflection on such experi-
18 ences; and

19 “(B) in leadership positions in implement-
20 ing and evaluating the program.

21 “(8) Measurable goals for the national service
22 programs referred to in paragraphs (1) and (2), and
23 a strategy to achieve such goals, in terms of—

1 “(A) the impact to be made in meeting
2 unmet human, educational, environmental, or
3 public safety needs; and

4 “(B) the service experience to be provided
5 to participants in the programs.

6 “(9) A description of the manner and extent to
7 which the national service programs referred to in
8 paragraphs (1) and (2) conform to the national serv-
9 ice priorities established by the Corporation under
10 section 122(c).

11 “(10) A description of the past experience of
12 the applicant in operating a comparable program or
13 in conducting a grant program in support of other
14 comparable service programs.

15 “(11) A description of the type and number of
16 proposed service positions in which participants will
17 receive the national service educational award de-
18 scribed in subtitle D and a description of the man-
19 ner in which approved national service positions will
20 be apportioned by the applicant.

21 “(12) A description of the manner and extent
22 to which participants, representatives of the commu-
23 nity served, community-based agencies with a dem-
24 onstrated record of experience in providing services,
25 and labor organizations contributed to the develop-

1 ment of the national service programs referred to in
2 paragraphs (1) and (2), including the identity of the
3 individual representing the labor organization who
4 was consulted and the nature of the consultation.

5 “(13) Such other information as the Cor-
6 poration may reasonably require.

7 “(c) APPLICATION TO RECEIVE ONLY APPROVED NA-
8 TIONAL SERVICE POSITIONS.—

9 “(1) APPLICABILITY OF SUBSECTION.—This
10 subsection shall apply in the case of an application
11 in which—

12 “(A) the applicant is not seeking assist-
13 ance under subsection (a) or (b) of section 121,
14 but requests national service educational
15 awards for individuals serving in service posi-
16 tions described in section 123; or

17 “(B) the applicant requests national serv-
18 ice educational awards for service positions de-
19 scribed in section 123, but the positions are not
20 positions in a national service program de-
21 scribed in section 122(a) for which assistance
22 may be provided under subsection (a) or (b) of
23 section 121.

24 “(2) SPECIAL APPLICATION REQUIREMENTS.—
25 For the applications described in paragraph (1), the

*where
applicable*

1 Corporation shall establish special application re-
2 quirements in order to determine—

3 “(A) whether the service positions meet
4 unmet human, educational, environmental, or
5 public safety needs and meet the criteria for as-
6 sistance under this subtitle; and

7 “(B) whether the Corporation should ap-
8 prove the positions as approved national service
9 positions that include the national service edu-
10 cational award described in subtitle D as one of
11 the benefits to be provided for successful service
12 in the position.

13 “(d) SPECIAL RULE FOR STATE APPLICANTS.—

14 “(1) SUBMISSION BY STATE COMMISSION.—The
15 application of a State for approved national service
16 positions or for a grant under section 121(a) shall
17 be submitted by the State Commission.

18 “(2) COMPETITIVE SELECTION.—The applica-
19 tion of a State shall contain an assurance that all
20 assistance provided under section 121(a) to the
21 State will be used to support national service pro-
22 grams that were selected by the State on a competi-
23 tive basis. In making such competitive selections, the
24 State shall seek to ensure the equitable allocation
25 within the State of assistance and approved national

1 service positions provided under this subtitle to the
2 State taking into consideration such factors as the
3 location of the programs applying to the State, pop-
4 ulation density, and economic distress.

5 “(3) ASSISTANCE TO NONSTATE ENTITIES.—
6 The application of a State shall also contain an as-
7 surance that not less than 60 percent of the assist-
8 ance will be used to make grants in support of na-
9 tional service programs other than national service
10 programs carried out by a State agency. The Cor-
11 poration may permit a State to deviate from the per-
12 centage specified by this subsection if the State has
13 not received a sufficient number of acceptable appli-
14 cations to comply with the percentage.

15 “(e) SPECIAL RULE FOR CERTAIN APPLICANTS.—

16 “(1) WRITTEN CONCURRENCE.—In the case of
17 a program applicant that proposes to also serve as
18 the service sponsor, the application shall include the
19 written concurrence of any local labor organization
20 representing employees of the service sponsor who
21 are engaged in the same or substantially similar
22 work as that proposed to be carried out.

23 “(2) PROGRAM APPLICANT DEFINED.—For pur-
24 poses of this subsection, the term ‘program appli-
25 cant’ means—

1 “(A) a State, subdivision of a State, Indian
2 tribe, public or private not-for-profit organiza-
3 tion, institution of higher education, or Federal
4 agency submitting an application under this
5 section; or

6 “(B) an entity applying for assistance or
7 approved national service positions through a
8 grant program conducted using assistance pro-
9 vided to a State, subdivision of a State, Indian
10 tribe, public or private not-for-profit organiza-
11 tion, institution of higher education, or Federal
12 agency under section 121.

13 “(f) LIMITATION ON SAME PROJECT IN MULTIPLE
14 APPLICATIONS.—The Corporation shall reject an applica-
15 tion submitted under this section if a project proposed to
16 be conducted using assistance requested by the applicant
17 is already described in another application pending before
18 the Corporation.

19 “SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE
20 REQUIREMENTS.

21 “(a) IMPACT ON COMMUNITIES.—An application sub-
22 mitted under section 130 shall include an assurance by
23 the applicant that any national service program carried
24 out by the applicant using assistance provided under sec-

1 tion 121 and any national service program supported by
2 a grant made by the applicant using such assistance will—

3 “(1) address unmet human, educational, envi-
4 ronmental, or public safety needs through services
5 that provide a direct benefit to the community in
6 which the service is performed; and

7 “(2) comply with the nonduplication and
8 nondisplacement requirements of section 177.

9 “(b) IMPACT ON PARTICIPANTS.—An application
10 submitted under section 130 shall also include an assur-
11 ance by the applicant that any national service program
12 carried out by the applicant using assistance provided
13 under section 121 and any national service program sup-
14 ported by a grant made by the applicant using such assist-
15 ance will—

16 “(1) provide participants in the national service
17 program with the training, skills, and knowledge
18 necessary for the projects that participants are
19 called upon to perform; and

20 “(2) provide support services to participants,
21 such as the provision of appropriate information and
22 support—

23 “(A) to those participants who are com-
24 pleting a term of service and making the transi-

1 tion to other educational and career opportuni-
2 ties; and

3 “(B) to those participants who are school
4 dropouts in order to assist those participants in
5 earning the equivalent of a high school diploma.

6 “(c) CONSULTATION.—An application submitted
7 under section 130 shall also include an assurance by the
8 applicant that any national service program carried out
9 by the applicant using assistance provided under section
10 121 and any national service program supported by a
11 grant made by the applicant using such assistance will—

12 “(1) provide in the design, recruitment, and op-
13 eration of the program for broad-based input from—

14 “(A) the community served and potential
15 participants in the program; and

16 “(B) community-based agencies with a
17 demonstrated record of experience in providing
18 services and local labor organizations rep-
19 resenting employees of service sponsors, if these
20 entities exist in the area to be served by the
21 program;

22 “(2) prior to the placement of participants, con-
23 sult with any local labor organization representing
24 employees in the area who are engaged in the same
25 or similar work as that proposed to be carried out

1 by such program to ensure compliance with the
2 nondisplacement requirements specified in section
3 177; and

4 “(3) in the case of a program that is not fund-
5 ed through a State, consult with and coordinate ac-
6 tivities with the State Commission for the State in
7 which the program operates.

8 “(d) EVALUATION AND PERFORMANCE GOALS.—

9 “(1) IN GENERAL.—An application submitted
10 under section 130 shall also include an assurance by
11 the applicant that the applicant will—

12 “(A) arrange for an independent evalua-
13 tion of any national service program carried out
14 using assistance provided to the applicant under
15 section 121 or, with the approval of the Cor-
16 poration, conduct an internal evaluation of the
17 program;

18 “(B) develop measurable performance
19 goals and evaluation methods (such as the use
20 of surveys of participants and persons served),
21 which are to be used as part of such evaluation
22 to determine the impact of the program—

23 “(i) on communities and persons
24 served by the projects performed by the
25 program;

1 “(ii) on participants who take part in
2 the projects; and

3 “(iii) in such other areas as the Cor-
4 poration may require; and

5 “(C) cooperate with any evaluation activi-
6 ties undertaken by the Corporation.

7 “(2) APPROVAL.—Evaluation arrangements
8 made by the applicant and performance goals and
9 evaluation methods developed by the applicant for
10 national service programs carried out using assist-
11 ance provided to the applicant under section 121
12 shall be subject to the review and approval by the
13 Corporation.

14 “(3) ALTERNATIVE EVALUATION REQUIRE-
15 MENTS.—The Corporation may establish alternative
16 evaluation requirements for national service pro-
17 grams based upon the amount of assistance received
18 under section 121 or received by a grant made by
19 a recipient of assistance under such section. The de-
20 termination of whether a national service program is
21 covered by this paragraph shall be made in such
22 manner as the Corporation may prescribe.

23 “(e) LIVING ALLOWANCES AND OTHER INSERVICE
24 BENEFITS.—Except as provided in section 140(c), an ap-

1 plication submitted under section 124 shall also include
2 an assurance by the applicant that the applicant will—

3 “(1) ensure the provision of a living allowance
4 and other benefits specified in section 140 to partici-
5 pants in any national service program carried out by
6 the applicant using assistance provided under section
7 121; and

8 “(2) require that each national service program
9 that receives a grant from the applicant using such
10 assistance will also provide a living allowance and
11 other benefits specified in section 140 to participants
12 in the program.

13 “(f) SELECTION OF PARTICIPANTS FROM INDIVID-
14 UALS RECRUITED BY CORPORATION OR STATE COMMIS-
15 SIONS.—The Corporation may also require an assurance
16 by the applicant that any national service program carried
17 out by the applicant using assistance provided under sec-
18 tion 121 and any national service program supported by
19 a grant made by the applicant using such assistance will
20 select a portion of the participants for the program from
21 among prospective participants recruited by the Cor-
22 poration or State Commissions under section 138(d). The
23 Corporation may specify a minimum percentage of partici-
24 pants to be selected from the national leadership pool es-
25 tablished under section 138(e) and may vary the percent-

1 age for different types of national service programs. In
2 the case of programs conducted by a State or subdivision
3 of a State, the Corporation shall permit the State or sub-
4 division to select only residents of that State if such a re-
5 strictive selection procedure is necessary to comply with
6 State or local law, regulation, or policy.

7 **"SEC. 132. INELIGIBLE SERVICE CATEGORIES.**

8 "An application submitted to the Corporation under
9 section 130 shall include an assurance by the applicant
10 that any national service program carried out using assist-
11 ance provided under section 121 and any approved na-
12 tional service position provided to an applicant will not be
13 used to perform service that provides a direct benefit to
14 any—

15 "(1) business organized for profit;

16 "(2) labor union;

17 "(3) partisan political organization; or

18 "(4) organization engaged in religious activities,
19 unless such service does not involve the use of assist-
20 ance provided under section 121 or participants to
21 give religious instruction, conduct worship services,
22 or engage in any form of proselytization.

23 **"SEC. 133. CONSIDERATION OF APPLICATIONS.**

24 "(a) CORPORATION CONSIDERATION OF CERTAIN
25 CRITERIA.—The Corporation shall apply the criteria de-

1 scribed in subsections (c) and (d) in determining
2 whether—

3 “(1) to approve an application submitted under
4 section 130 and provide assistance under section
5 121 to the applicant; and

6 “(2) to approve service positions described in
7 the application as national service positions that in-
8 clude the national service educational award de-
9 scribed in subtitle D and provide such approved na-
10 tional service positions to the applicant.

11 “(b) APPLICATION TO SUBGRANTS.—A State or
12 other entity that uses assistance provided under section
13 121(a) to support national service programs selected on
14 a competitive basis to receive a share of the assistance
15 shall use the criteria described in subsections (c) and (d)
16 when considering an application submitted by a national
17 service program to receive a portion of such assistance or
18 an approved national service position. The application of
19 the State or other entity under section 130 shall contain
20 a certification that the State or other entity complied with
21 these criteria in the selection of national service programs
22 to receive assistance.

23 “(c) ASSISTANCE CRITERIA.—The criteria required
24 to be applied in evaluating applications submitted under
25 section 130 are as follows:

1 “(1) The quality of the national service pro-
2 gram proposed to be carried out directly by the ap-
3 plicant or supported by a grant from the applicant.

4 “(2) The innovative aspects of the national
5 service program, and the feasibility of replicating the
6 program.

7 “(3) The sustainability of the national service
8 program, based on evidence such as the existence—

9 “(A) of strong and broad-based community
10 support for the program; and

11 “(B) of multiple funding sources or private
12 funding for the program.

13 “(4) The quality of the leadership of the na-
14 tional service program, the past performance of the
15 program, and the extent to which the program
16 builds on existing programs.

17 “(5) The extent to which participants of the na-
18 tional service program are recruited from among
19 residents of the communities in which projects are to
20 be conducted, and the extent to which participants
21 and community residents are involved in the design,
22 leadership, and operation of the program.

23 “(6) The extent to which projects would be con-
24 ducted in areas where they are needed most, such
25 as—

1 “(A) communities designated as enterprise
2 zones or redevelopment areas, targeted for spe-
3 cial economic incentives, or otherwise identifi-
4 able as having high concentrations of low-in-
5 come people;

6 “(B) areas that are environmentally dis-
7 tressed;

8 “(C) areas adversely affected by Federal
9 actions related to the management of Federal
10 lands that result in significant regional job
11 losses and economic dislocation;

12 “(D) areas adversely affected by reductions
13 in defense spending or the closure or realign-
14 ment of military installations; or

15 “(E) rural areas adversely affected by un-
16 fair trading practices of international competi-
17 tors of the United States.

18 “(7) In the case of applicants other than
19 States, the extent to which the application is consist-
20 ent with the application under section 130 of the
21 State in which the projects would be conducted.

22 “(8) Such other criteria as the Corporation con-
23 siders to be appropriate.

24 “(d) OTHER CONSIDERATIONS.—

1 “(1) GEOGRAPHIC DIVERSITY.—The Cor-
2 poration shall ensure that recipients of assistance
3 provided under section 121 are geographically di-
4 verse and include projects to be conducted in those
5 urban and rural areas in a State with the highest
6 rates of poverty.

7 “(2) PRIORITIES.—The Corporation may des-
8 ignate, under such criteria as may be established by
9 the Corporation, certain national service programs
10 or types of national service programs described in
11 section 122(a) for priority consideration in the com-
12 petitive distribution of funds under section
13 129(d)(2). In designating national service programs
14 to receive priority, the Corporation may include—

15 “(A) national service programs carried out
16 by another Federal agency;

17 “(B) national service programs that con-
18 form to the national service priorities in effect
19 under section 122(c);

20 “(C) innovative national service programs;

21 “(D) national service programs that are
22 well established in one or more States at the
23 time of the application and are proposed to be
24 expanded to additional States using assistance
25 provided under section 121;

1 “(E) grant programs in support of other
2 national service programs if the grant programs
3 are to be conducted by not-for-profit organiza-
4 tions with a demonstrated and extensive exper-
5 tise in the provision of services to meet human,
6 educational, environmental, or public safety
7 needs; and

8 “(F) professional corps programs described
9 in section 122(a)(8).

10 “(e) EMPHASIS ON AREAS MOST IN NEED.—In mak-
11 ing assistance available under section 121 and in providing
12 approved national service positions under section 123, the
13 Corporation shall ensure that not less than 50 percent of
14 the total amount of assistance to be distributed to States
15 under subsections (a) and (d)(1) of section 129 for a fiscal
16 year are provided to carry out or support national service
17 programs and projects that—

18 “(1) are conducted in areas of economic dis-
19 tress described in subsection (c)(6) or on Federal or
20 other public lands to address unmet human, edu-
21 cational, environmental, or public safety needs in
22 such areas; and

23 “(2) place a priority on the recruitment of par-
24 ticipants who are residents of areas of economic dis-

1 tress described in subsection (c)(6) or Federal or
2 other public lands.

3 “(f) REJECTION OF STATE APPLICATIONS.—

4 “(1) NOTIFICATION OF STATE APPLICANTS.—If
5 the Corporation rejects an application submitted by
6 a State Commission under section 130 for funds de-
7 scribed in section 129(a)(1), the Corporation shall
8 promptly notify the State Commission of the reasons
9 for the rejection of the application.

10 “(2) RESUBMISSION AND RECONSIDERATION.—

11 The Corporation shall provide a State Commission
12 notified under paragraph (1) with a reasonable op-
13 portunity to revise and resubmit the application. At
14 the request of the State Commission, the Cor-
15 poration shall provide technical assistance to the
16 State Commission as part of the resubmission proc-
17 ess. The Corporation shall promptly reconsider an
18 application resubmitted under this paragraph.

19 “(3) REALLOTMENT.—The amount of any
20 State’s allotment under section 129(a) for a fiscal
21 year that the Corporation determines will not be
22 provided for that fiscal year shall be available for
23 distribution by the Corporation as provided in para-
24 graph (4) of such subsection.

1 **"SEC. 134. EVALUATION OF SUCCESS OF INVESTMENT IN**
2 **NATIONAL SERVICE.**

3 “(a) **EVALUATION REQUIRED.**—Not later than two
4 years after the date of the enactment of this section, the
5 Corporation shall arrange for the independent evaluation
6 of the operation of this subtitle to determine the levels
7 of participation of economically disadvantaged individuals
8 in national service programs carried out or supported
9 using assistance provided under section 121.

10 “(b) **PERIOD COVERED BY EVALUATION.**—The eval-
11 uation required by this section shall cover the two-year
12 period beginning on the date the Corporation first makes
13 a grant under section 121.

14 “(c) **INCOME LEVELS OF PARTICIPANTS.**—The evalu-
15 ating entity shall determine the total income of each par-
16 ticipant who serves, during the period covered by the eval-
17 uation, in a national service program carried out or sup-
18 ported using assistance provided under section 121 or in
19 an approved national service position. The total income
20 of a participant shall be determined as of the date the
21 participant was first selected to participate and shall in-
22 clude family total income unless the evaluating entity de-
23 termines that the participant was independent at the time
24 of selection.

25 “(d) **ASSISTANCE FOR DISTRESSED AREAS.**—The
26 evaluating entity shall also determine the amount of as-

1 sistance provided under section 121 during the period cov-
2 ered by the report that has been expended for projects
3 conducted in areas of economic distress described in sec-
4 tion 133(c)(6)

5 “(e) REPORT.—The evaluating entity shall submit a
6 report containing the results of the evaluation to the
7 President, the Congress, the Corporation, and each State
8 Commission.

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

10 “(1) The term ‘total income’ has the meaning
11 given that term in subsection (a) of the Higher Edu-
12 cation Act of 1965 (20 U.S.C. 1087vv).

13 “(2) The term ‘independent’ has the meaning
14 given that term in subsection (d) of such section.

15 **“PART III—NATIONAL SERVICE PARTICIPANTS**

16 **“SEC. 137. DESCRIPTION OF PARTICIPANTS.**

17 “(a) IN GENERAL.—For purposes of this subtitle, an
18 individual shall be considered to be a participant in a na-
19 tional service program carried out using assistance pro-
20 vided under section 121 if the individual—

21 “(1) meets such eligibility requirements as may
22 be established by the program;

23 “(2) is selected by the program to serve in a po-
24 sition with the program;

1 “(3) will serve in the program for a term of
2 service specified in section 139 to be performed be-
3 fore, during, or after attendance at an institution of
4 higher education;

5 “(4) is 17 years of age or older at the time the
6 individual begins the term of service;

7 “(5) has received a high school diploma or its
8 equivalent, agrees to obtain a high school diploma or
9 its equivalent (unless this requirement is waived
10 based on an individual education assessment con-
11 ducted by the program) and the individual did not
12 drop out of an elementary or secondary school to en-
13 roll in the program, or is enrolled in an institution
14 of higher education on an ability to benefit basis and
15 is considered eligible for funds under section 484 of
16 the Higher Education Act of 1965 (20 U.S.C.
17 1091); and

18 “(6) is a citizen of the United States or lawfully
19 admitted for permanent residence.

20 “(b) SPECIAL RULES FOR CERTAIN YOUTH PRO-
21 GRAMS.—An individual shall be considered to be a partici-
22 pant in a youth corps program described in section
23 122(a)(2) or a program described in section 122(a)(9)
24 that is carried out with assistance provided under section
25 121(a) if the individual—

1 “(1) satisfies the requirements specified in sub-
2 section (a), except paragraph (4) of such subsection;
3 and

4 “(2) is between the ages of 16 and 25, inclu-
5 sive, at the time the individual begins the term of
6 service.

7 "SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-
8 PANTS.

9 “(a) SELECTION PROCESS.—Subject to subsections
10 (b) and (c) and section 131(f), the actual recruitment and
11 selection of an individual to serve in a national service pro-
12 gram receiving assistance under section 121 or to fill an
13 approved national service position shall be conducted by
14 the State, subdivision of a State, Indian tribe, public or
15 private not-for-profit organization, institution of higher
16 education, Federal agency, or other entity to which the
17 assistance and approved national service positions are pro-
18 vided.

19 “(b) NONDISCRIMINATION AND NONPOLITICAL SE-
20 LECTION OF PARTICIPANTS.—The recruitment and selec-
21 tion of individuals to serve in national service programs
22 receiving assistance under section 121 or to fill approved
23 national service positions shall be consistent with the re-
24 quirements of section 175.

1 “(c) SECOND TERM.—Acceptance into a national
2 service program to serve a second term of service under
3 section 139 shall only be available to individuals who per-
4 form satisfactorily in their first term of service.

5 “(d) RECRUITMENT AND PLACEMENT.—The Cor-
6 poration and each State Commission shall establish a sys-
7 tem to recruit individuals who desire to perform national
8 service and to assist the placement of these individuals in
9 approved national service positions, including positions
10 available under titles I and II of the Domestic Volunteer
11 Service Act of 1973 (42 U.S.C. 4951 et seq.). The Cor-
12 poration and State Commissions shall disseminate infor-
13 mation regarding available approved national service posi-
14 tions through cooperation with secondary schools, institu-
15 tions of higher education, employment service offices, vo-
16 cational rehabilitation agencies and other State offices
17 that serve primarily people with disabilities, and other ap-
18 propriate entities, particularly those organizations that
19 provide outreach to disadvantaged youths and youths with
20 disabilities.

21 “(e) NATIONAL LEADERSHIP POOL.—

22 “(1) SELECTION AND TRAINING.—From among
23 individuals recruited under subsection (d), the Cor-
24 poration may select individuals with significant lead-
25 ership potential, as determined by the Corporation,

1 to receive special training to enhance their leader-
2 ship ability. The leadership training shall be pro-
3 vided by the Corporation directly or through a grant
4 or contract.

5 “(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In
6 selecting individuals to receive leadership training
7 under this subsection, the Corporation shall make
8 special efforts to select individuals who have served
9 in the Peace Corps, as VISTA volunteers, as partici-
10 pants in a program under title II of the Domestic
11 Volunteer Service Act of 1973 (42 U.S.C. 5000 et
12 seq.), or as participants in national service programs
13 receiving assistance under section 121.

14 “(3) ASSIGNMENT.—At the request of a pro-
15 gram that receives assistance under the national
16 service laws, the Corporation may assign an individ-
17 ual who receives leadership training under para-
18 graph (1) to work with the program in a leadership
19 position and carry out assignments not otherwise
20 performed by regular participants. An individual as-
21 signed to a program shall be considered to be a par-
22 ticipant of the program.

23 “(f) EVALUATION OF SERVICE.—The Chairperson
24 shall issue regulations regarding the manner and criteria
25 by which the service of a participant shall be evaluated

1 to determine whether the service is satisfactory and suc-
2 cessful for purposes of eligibility for a second term of serv-
3 ice or a national service educational award.

4 **"SEC. 139. TERMS OF SERVICE.**

5 “(a) IN GENERAL.—As a condition of receiving a na-
6 tional service education award under subtitle D, a partici-
7 pant in an approved national service position shall be re-
8 quired to perform full- or part-time national service for
9 at least one term of service specified in subsection (b).

10 “(b) TERM OF SERVICE.—

11 “(1) FULL-TIME SERVICE.—An individual per-
12 forming full-time national service in an approved na-
13 tional service position shall agree to participate in
14 the program sponsoring the position for not less
15 than 1,700 hours during a period of not less than
16 9 months and not more than 1 year.

17 “(2) PART-TIME SERVICE.—Except as provided
18 in paragraph (3), an individual performing part-time
19 national service in an approved national service posi-
20 tion shall agree to participate in the program spon-
21 soring the position for not less than 1,700 hours
22 during a period of—

23 “(A) not less than 1 year and not more
24 than 2 years; or

1 “(B) not less than 1 year and not more
2 than 3 years if the individual is enrolled in an
3 institute of higher education while performing
4 all or a portion of the service.

5 “(3) REDUCTION IN HOURS OF PART-TIME
6 SERVICE.—The Corporation may reduce the number
7 of hours required to be served to successfully complete
8 part-time national service to a level determined
9 by the Corporation, except that any reduction in the
10 required term of service shall include a corresponding
11 reduction in the amount of any national
12 service educational award that may be available
13 under subtitle D with regard to that service.

14 “(c) RELEASE FROM COMPLETING TERM OF SERVICE.
15 ICE.—

16 “(1) RELEASE AUTHORIZED.—A recipient of
17 assistance under section 121 or a program sponsoring
18 an approved national service position may release
19 a participant from completing a term of service
20 in the position—

21 “(A) for compelling personal circumstances
22 as demonstrated by the participant; or

23 “(B) for cause.

24 “(2) EFFECT OF RELEASE.—If the released
25 participant was serving in an approved national

1 service position, the participant may receive a por-
2 tion of the national service educational award cor-
3 responding to that service in the manner provided in
4 section 147(b), except that a participant released for
5 cause may not receive any portion of the national
6 service educational award.

7 **"SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**
8 **PARTICIPANTS.**

9 **"(a) PROVISION OF LIVING ALLOWANCE.—**

10 **"(1) LIVING ALLOWANCE PERMITTED.—**Subject
11 to paragraph (3), a national service program carried
12 out using assistance provided under section 121
13 shall provide to each participant in the program a
14 living allowance in such an amount as may be estab-
15 lished by the program.

16 **"(2) LIMITATION ON FEDERAL SHARE.—**The
17 amount of the annual living allowance provided
18 under paragraph (1) that may be paid using assist-
19 ance provided under section 121 and using any other
20 Federal funds shall not exceed the lesser of—

21 **"(A)** 85 percent of the total average an-
22 nual subsistence allowance provided to VISTA
23 volunteers under section 105 of the Domestic
24 Volunteer Service Act of 1973 (42 U.S.C.
25 4955); and

1 “(B) 85 percent of the annual living allow-
2 ance established by the national service pro-
3 gram involved.

4 “(3) MAXIMUM LIVING ALLOWANCE.—Except
5 as provided in subsection (c), the total amount of an
6 annual living allowance that may be provided to a
7 participant in a national service program shall not
8 exceed 200 percent of the average annual subsist-
9 ence allowance provided to VISTA volunteers under
10 section 105 of the Domestic Volunteer Service Act
11 of 1973 (42 U.S.C. 4955).

12 “(4) PRORATION OF LIVING ALLOWANCE.—The
13 amount provided as a living allowance under this
14 subsection shall be prorated in the case of a partici-
15 pant who is authorized to serve a reduced term of
16 service under section 139(b)(3).

17 “(5) TREATMENT OF LIVING ALLOWANCE.—
18 The amount provided as a living allowance under
19 this subsection, up to the maximum living allowance
20 authorized by paragraph (3), shall not be taken into
21 account in determining the need or eligibility of any
22 person for benefits or assistance, or the amount of
23 such benefits or assistance, under any Federal,
24 State, or local program financed in whole or in part
25 with Federal funds. Nothing in the preceding sen-

1 tence shall be construed to exclude amounts received
2 as a living allowance from gross income under sec-
3 tion 61 of the Internal Revenue Code of 1986 (26
4 U.S.C. 61).

5 “(b) COVERAGE OF CERTAIN EMPLOYMENT-RELAT-
6 ED TAXES.—To the extent a national service program that
7 receives assistance under section 121 is subject, with re-
8 spect to the participants in the program, to the taxes im-
9 posed on an employer under sections 3111 and 3301 of
10 the Internal Revenue Code of 1986 (26 U.S.C. 3111,
11 3301) and taxes imposed on an employer under a work-
12 men’s compensation act, the assistance provided to the
13 program under section 121 shall include an amount suffi-
14 cient to cover 85 percent of such taxes based upon the
15 lesser of—

16 “(1) the total average annual subsistence allow-
17 ance provided to VISTA volunteers under section
18 105 of the Domestic Volunteer Service Act of 1973
19 (42 U.S.C. 4955); and

20 “(2) the annual living allowance established by
21 the program.

22 “(c) EXCEPTION FROM MAXIMUM LIVING ALLOW-
23 ANCE FOR CERTAIN ASSISTANCE.—A professional corps
24 program described in section 122(a)(8) that desires to
25 provide or arrange for a living allowance in excess of the

1 maximum allowance authorized in subsection (a)(3) may
 2 still apply for such assistance, except that—

3 “(1) any assistance provided to the applicant
 4 under section 121 may not be used to pay for any
 5 portion of the allowance;

6 “(2) the applicant shall apply for such assist-
 7 ance only by submitting an application to the Cor-
 8 poration for assistance on a competitive basis; and

9 “(3) the national service program must be oper-
 10 ated directly by the applicant and must meet urgent,
 11 unmet human, educational, environmental, or public
 12 safety needs, as determined by the Corporation.

13 “(d) HEALTH INSURANCE.—^{The Corporation shall ensure that}

14 “(1) IN GENERAL.—~~A State or other recipient~~
 15 ~~of assistance under section 121 shall provide a basic~~
 16 ~~health care policy for each full-time participant in a~~
 17 ~~national service program carried out or supported~~
 18 ~~using the assistance if the participant is not other-~~
 19 ~~wise covered by a health care policy~~ ^{Participants shall} Not more than
 20 85 percent of the cost of a premium shall be pro- ^{have}
 21 vided by the Corporation, with the remaining cost ^{the}
 22 paid by the entity receiving assistance under section ^{option}
 23 121. The Corporation shall establish minimum ^{to}
 24 standards that all plans must meet in order to qual- ^{decline}
 25 ify for payment under this part, any circumstances ^{such}
^{coverage}

1 in which an alternative health care policy may be
2 substituted for the basic health care policy, and
3 mechanisms to prohibit participants from dropping
4 existing coverage.

5 “(2) NEUTRALITY.—Section 909 of the Edu-
6 cation Amendments of 1972 (20 U.S.C. 1688) shall
7 apply with respect to the minimum health care
8 standards established by the Corporation under
9 paragraph (1) and the basic health care policy to be
10 provided to full-time participants under such section.
11 These standards shall not apply to a recipient of as-
12 sistance under section 121 or any national service
13 program carried out or supported using the assist-
14 ance if the recipient or program is controlled by a
15 religious organization and application of the stand-
16 ards would not be consistent with the religious te-
17 nets of the organization.

18 “(e) CHILD CARE.—

19 “(1) AVAILABILITY.—A State or other recipient
20 of assistance under section 121 shall—

21 “(A) make child care available for children
22 of each full-time participant who serves in a na-
23 tional service program carried out or supported
24 by the recipient using the assistance, including

1 individuals who need such child care in order to
2 participate in the program; or

3 “(B) provide a child care allowance to each
4 full-time participant in a national service pro-
5 gram who needs such assistance in order to
6 participate in the program.

7 “(2) GUIDELINES.—The Corporation shall es-
8 tablish guidelines regarding the circumstances under
9 which child care must be made available under this
10 subsection and the value of any allowance to be pro-
11 vided.

12 “(f) INDIVIDUALIZED SUPPORT SERVICES.—A State
13 or other recipient of assistance under section 121 shall
14 provide auxiliary aids and services based on the individual-
15 ized need of a participant who is a qualified individual
16 with a disability.

17 “(g) WAIVER OF LIMITATION ON FEDERAL
18 SHARE.—The Corporation may waive in whole or in part
19 the limitation on the Federal share specified in this section
20 with respect to a particular national service program in
21 any fiscal year if the Corporation determines that such
22 a waiver would be equitable due to a lack of available fi-
23 nancial resources at the local level.

1 "SEC. 141. NATIONAL SERVICE EDUCATIONAL AWARDS.

2 "(a) ELIGIBILITY GENERALLY.—A participant in a
3 national service program carried out using assistance pro-
4 vided to an applicant under section 121 shall be eligible
5 for the national service educational award described in
6 subtitle D if the participant—

7 "(1) serves in an approved national service po-
8 sition; and

9 "(2) satisfies the eligibility requirements speci-
10 fied in section 146 with respect to service in that ap-
11 proved national service position.

12 "(b) SPECIAL RULE FOR VISTA VOLUNTEERS.—A
13 VISTA volunteer who serves in an approved national serv-
14 ice position shall be ineligible for a national service edu-
15 cational award if the VISTA volunteer accepts the stipend
16 authorized under section 105(a)(1) of the Domestic Vol-
17 unteer Service Act of 1973 (42 U.S.C. 4955(a)(1))."

18 (c) TABLE OF CONTENTS.—Section 1(b) of the Na-
19 tional and Community Service Act of 1990 (Public Law
20 101-610; 104 Stat. 3127) is amended—

21 (1) by striking the items relating to subtitle C
22 of title I of such Act and inserting the following new
23 items:

"Subtitle C—National Service Trust Program

"PART I—INVESTMENT IN NATIONAL SERVICE

"Sec. 121. Authority to provide assistance and approved national service posi-
tions.

- "Sec. 122. Types of national service programs eligible for program assistance.
- "Sec. 123. Types of national service positions eligible for approval for national service educational awards.
- "Sec. 124. Types of program assistance.
- "Sec. 125. Training and technical assistance.
- "Sec. 126. Other special assistance.

"PART II—APPLICATION AND APPROVAL PROCESS

- "Sec. 129. Provision of assistance and approved national service positions by competitive and other means.
- "Sec. 130. Application for assistance and approved national service positions.
- "Sec. 131. National service program assistance requirements.
- "Sec. 132. Ineligible service categories.
- "Sec. 133. Consideration of applications.
- "Sec. 134. Evaluation of success of investment in national service.

"PART III—NATIONAL SERVICE PARTICIPANTS

- "Sec. 137. Description of participants.
- "Sec. 138. Selection of national service participants.
- "Sec. 139. Required terms of service of national service participants.
- "Sec. 140. Living allowances for national service participants.
- "Sec. 141. National service educational awards."; and

- 1 (2) by inserting after the item relating to sec-
- 2 tion 1950 the following new items:

"Subtitle I—American Conservation and Youth Corps

- "Sec. 199. Short title.
- "Sec. 199A. General authority.
- "Sec. 199B. Allocation of funds.
- "Sec. 199C. State application.
- "Sec. 199D. Focus of programs.
- "Sec. 199E. Related programs.
- "Sec. 199F. Public lands or Indian lands.
- "Sec. 199G. Training and education services.
- "Sec. 199H. Amount of award; matching requirement.
- "Sec. 199I. Preference for certain projects.
- "Sec. 199J. Age and citizenship criteria for enrollment.
- "Sec. 199K. Use of volunteers.
- "Sec. 199L. Post-service benefits.
- "Sec. 199M. Living allowance.
- "Sec. 199N. Joint programs.
- "Sec. 199O. Federal and State employee status."

3 (d) TECHNICAL AND CONFORMING AMENDMENTS.—

- 4 (1) REFERENCES.—Subtitle I of title I of the
- 5 National and Community Service Act of 1990 (as
- 6 transferred by subsection (b)(2) of this section) is

1 amended by striking "Commission" each place it ap-
2 pears in sections 199A, 199B, 199C, 199D, 199F,
3 199H, 199I, 199M, and 199N (as redesignated in
4 subsection (a)(3) of this section) and inserting "Cor-
5 poration".

6 (2) GENERAL AUTHORITY.—Section 199A of
7 such Act (as redesignated in subsection (a)(3) of
8 this section) (42 U.S.C. 12541) is amended—

9 (A) by striking "under section 102"; and

10 (B) by striking ", to the Secretary of the
11 Interior, or to the Director of ACTION" and
12 inserting "or to the Secretary of the Interior".

13 (3) ALLOCATION.—Section 199B of such Act
14 (as redesignated in subsection (b)(3) of this section)
15 (42 U.S.C. 12542) is amended by striking "section
16 123" each place it appears and inserting "section
17 199C".

18 (4) STATE APPLICATION.—Section 199C(a) of
19 such Act (as redesignated in subsection (b)(3) of
20 this section) (42 U.S.C. 12543(a)) is amended "sec-
21 tion 122(b)" and inserting "199B(b)".

22 (5) PUBLIC LANDS.—Section 199F(b) of such
23 Act (as redesignated in subsection (b)(3) of this sec-
24 tion) (42 U.S.C. 12546(b)) is amended by striking
25 "section 123" and inserting "section 199C".

1 (6) PREFERENCE.—Section 199I(a) of such Act
2 (as redesignated in subsection (b)(3) of this section)
3 (42 U.S.C. 12549) is amended by striking “section
4 123” and inserting “section 199C”.

5 **SEC. 102. NATIONAL SERVICE TRUST AND PROVISION OF**
6 **NATIONAL SERVICE EDUCATIONAL AWARDS.**

7 (a) ESTABLISHMENT OF TRUST; PROVISION OF
8 **AWARDS.**—Subtitle D of title I of the National and Com-
9 munity Service Act of 1990 (42 U.S.C. 12571 et seq.) is
10 amended to read as follows:

11 **“Subtitle D—National Service**
12 **Trust and Provision of National**
13 **Service Educational Awards**

14 **“SEC. 145. ESTABLISHMENT OF THE NATIONAL SERVICE**
15 **TRUST.**

16 “(a) ESTABLISHMENT.—There is established in the
17 Treasury of the United States an account to be known
18 as the National Service Trust. The Trust shall consist
19 of—

20 “(1) from the amounts appropriated to the Cor-
21 poration and made available to carry out this sub-
22 title pursuant to section 501(a)(1), such amounts as
23 the Corporation may designate to be available for
24 the payment of—

1 “(A) national service educational awards;
2 and

3 “(B) interest expenses pursuant to sub-
4 section (e);

5 “(2) any amounts received by the Corporation
6 as gifts, bequests, devise, or otherwise pursuant to
7 section 196(a)(2); and

8 “(3) the interest on, and proceeds from the sale
9 or redemption of, any obligations held by the Trust.

10 “(b) INVESTMENT OF TRUST.—It shall be the duty
11 of the Secretary of the Treasury to invest in full the
12 amounts appropriated to the Trust. Except as otherwise
13 expressly provided in instruments concerning a gift, be-
14 quest, devise, or other donation and agreed to by the Cor-
15 poration, such investments may be made only in interest-
16 bearing obligations of the United States or in obligations
17 guaranteed as to both principal and interest by the United
18 States. For such purpose, such obligations may be ac-
19 quired (1) on original issue at the issue price, or (2) by
20 purchase of outstanding obligations at the marketplace.
21 Any obligation acquired by the Trust may be sold by the
22 Secretary at the market price.

23 “(c) EXPENDITURES FROM TRUST.—Amounts in the
24 Trust shall be available for payments of national service
25 educational awards in accordance with section 148.

1 “(d) REPORTS TO CONGRESS ON RECEIPTS AND EX-
2 PENDITURES.—Not later than March 1 of each year, the
3 Corporation shall submit a report to the Congress on the
4 financial status of the Trust during the preceding fiscal
5 year. Such report shall—

6 “(1) specify the amount deposited to the Trust
7 from the most recent appropriation to the Cor-
8 poration, the amount received by the Corporation as
9 gifts or bequest during the period covered by the re-
10 port, and any amounts obtained by the Trust pursu-
11 ant to subsection (a)(3);

12 “(2) identify the number of individuals who are
13 currently performing service to qualify, or have
14 qualified, for national service educational awards;

15 “(3) identify the number of individuals whose
16 ability to claim national service educational awards
17 during the period covered by the report—

18 “(A) has been reduced pursuant to section
19 147(b); or

20 “(B) has lapsed pursuant to section
21 146(d); and

22 “(4) estimate the number of additional ap-
23 proved national service positions which the Cor-
24 poration will be able to make available under subtitle
25 C on the basis of any accumulated surplus in the

1 Trust above the amount required to provide national
2 service educational awards to individuals identified
3 under paragraph (2), including any amounts avail-
4 able as a result of the circumstances referred to in
5 paragraph (3).

6 **"SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL**
7 **SERVICE EDUCATIONAL AWARD FROM THE**
8 **TRUST.**

9 "(a) ELIGIBLE INDIVIDUALS.—An individual shall
10 receive a national service educational award from the Na-
11 tional Service Trust if the individual—

12 "(1) successfully completes the required term of
13 service described in subsection (b) in an approved
14 national service position;

15 "(2) was 17 years of age or older at the time
16 the individual began serving in the approved na-
17 tional service position or was an out-of-school youth
18 serving in an approved national service position with
19 a youth corps program described in section
20 122(a)(2) or a program described in section
21 122(a)(9);

22 "(3) has received a high school diploma, or the
23 equivalent of such diploma, at the time the individ-
24 ual uses the national service educational award, un-
25 less this requirement has been waived based on an

1 individual education assessment conducted by the
2 program; and

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

5 “(b) TERM OF SERVICE.—The term of service for an
6 approved national service position shall not be less than
7 the full- or part-time term of service specified in section
8 139(b).

9 “(c) LIMITATION ON NUMBER OF TERMS OF SERV-
10 ICE FOR AWARDS.—Although an individual may serve
11 more than 2 terms of service described in subsection (b)
12 in an approved national service position, the individual
13 shall receive a national service educational award from the
14 National Service Trust only on the basis of the first and
15 second of such terms of service.

16 “(d) TIME FOR USE OF EDUCATIONAL AWARD.—

17 “(1) FIVE-YEAR REQUIREMENT.—An individual
18 eligible to receive a national service educational
19 award under this section may not use such award
20 after the end of the 5-year period beginning on the
21 date the individual completes the term of service in
22 an approved national service position that is the
23 basis of the award.

24 “(2) EXCEPTION.—The Corporation may ex-
25 tend the period within which an individual may use

1 a national service educational award if the Cor-
2 poration determines that the individual—

3 “(A) was unavoidably prevented from
4 using the national service educational award
5 during the original 5-year period; or

6 “(B) performed another term of service in
7 an approved national service position during
8 that period.

9 “(e) AUTHORITY TO ESTABLISH DEMONSTRATION
10 PROGRAM FOR FAMILY TRANSFERS OF AWARDS.—The
11 Corporation may establish by regulation a demonstration
12 program to permit an eligible individual under this section
13 to transfer a national service education award to an imme-
14 diate family member who—

15 “(1) is 17 years of age or older at the time of
16 the transfer;

17 “(2) has received a high school diploma, or the
18 equivalent of such diploma, at the time the individ-
19 ual uses the national service educational award; and

20 “(3) is a citizen of the United States or lawfully
21 admitted for permanent residence.

22 An individual to whom such an award is transferred shall
23 use such award within the period that the eligible individ-
24 ual is required to use such award under subsection (d).

1 **"SEC. 147. DETERMINATION OF THE AMOUNT OF THE NA-**
2 **TIONAL SERVICE EDUCATIONAL AWARD.**

3 “(a) AMOUNT GENERALLY.—Except as provided in
4 subsection (b), an individual described in section 146(a)
5 who successfully completes a required term of service in
6 an approved national service position shall receive a na-
7 tional service educational award having a value equal to
8 \$5,000 for each of not more than 2 of such terms of serv-
9 ice.

10 “(b) AWARD FOR PARTIAL COMPLETION OF SERV-
11 ICE.—If an individual serving in an approved national
12 service position is released in accordance with section
13 139(c)(1)(A) from completing the term of service agreed
14 to by the individual, the Corporation may provide the indi-
15 vidual with that portion of the national service educational
16 award approved for the individual that corresponds to the
17 quantity of the term of service actually completed by the
18 individual.

19 **"SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDU-**
20 **CATIONAL AWARDS.**

21 “(a) IN GENERAL.—Amounts in the Trust shall be
22 available—

23 “(1) to repay student loans in accordance with
24 subsection (b);

1 “(2) to pay all or part of the cost of attendance
2 at an institution of higher education in accordance
3 with subsection (c);

4 “(3) to pay expenses incurred in participating
5 in an approved school-to-work program in accord-
6 ance with subsection (d); and

7 “(4) to pay interest expenses in accordance with
8 regulations prescribed pursuant to subsection (e).

9 “(b) USE OF EDUCATIONAL AWARD TO REPAY OUT-
10 STANDING STUDENT LOANS.—

11 “(1) APPLICATION BY ELIGIBLE INDIVID-
12 UALS.—An eligible individual under section 146 who
13 desires to apply his or her national service edu-
14 cational award to the repayment of qualified student
15 loans shall submit, in a manner prescribed by the
16 Corporation, an application to the Corporation
17 that—

18 “(A) identifies, or permits the Corporation
19 to identify readily, the holder or holders of such
20 loans;

21 “(B) indicates, or permits the Corporation
22 to determine readily, the amounts of principal
23 and interest outstanding on the loans;

24 “(C) specifies, if the outstanding balance is
25 greater than the amount disbursed under para-

1 graph (2), which of the loans the individual pre-
2 fers to be paid by the Corporation; and

3 “(D) contains or is accompanied by such
4 other information as the Corporation may re-
5 quire.

6 “(2) DISBURSEMENT OF REPAYMENTS.—Upon
7 receipt of an application from an eligible individual
8 of an application that complies with paragraph (1),
9 the Corporation shall, as promptly as practicable
10 consistent with paragraph (5), disburse the amount
11 of the national service educational award to which
12 the eligible individual is entitled. Such disbursement
13 shall be made by check or other means that is pay-
14 able to the holder of the loan and requires the en-
15 dorsement or other certification by the eligible indi-
16 vidual.

17 “(3) APPLICATION OF DISBURSED AMOUNTS.—
18 If the amount disbursed under paragraph (2) is less
19 than the principal and accrued interest on any quali-
20 fied student loan, such amount shall be applied ac-
21 cording to the specified priorities of the individual.

22 “(4) REPORTS BY HOLDERS.—Any holder re-
23 ceiving a loan payment pursuant to this subsection
24 shall submit to the Corporation such information as
25 the Corporation may require to verify that such pay-

1 ment was applied in accordance with this subsection
2 and any regulations prescribed to carry out this sub-
3 section.

4 “(5) NOTIFICATION OF INDIVIDUAL.—The Cor-
5 poration upon disbursing the national service edu-
6 cational award, shall notify the individual of the
7 amount paid for each outstanding loan and the date
8 of payment.

9 “(6) AUTHORITY TO AGGREGATE PAYMENTS.—
10 The Corporation may, by regulation, provide for the
11 aggregation of payments to holders under this sub-
12 section.

13 “(7) DEFINITION OF QUALIFIED STUDENT
14 LOANS.—The term ‘qualified student loans’ means—

15 “(A) any loan made, insured, or guaran-
16 teed pursuant to title IV of the Higher Edu-
17 cation Act of 1965 (20 U.S.C. 1070 et seq.),
18 other than a loan to a parent of a student pur-
19 suant to section 428B of such Act (20 U.S.C.
20 1078-2); and

21 “(B) any loan made pursuant to title VII
22 or VIII of the Public Health Service Act (42
23 U.S.C. 292a et seq.).

24 “(8) DEFINITION OF HOLDER.—The term
25 ‘holder’ with respect to any eligible loan means the

1 original lender or, if the loan is subsequently sold,
2 transferred, or assigned to some other person, and
3 such other person acquires a legally enforceable
4 right to receive payments from the borrower, such
5 other person.

6 “(c) USE OF EDUCATIONAL AWARDS TO PAY CUR-
7 RENT EDUCATIONAL EXPENSES.—

8 “(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—

9 An eligible individual under section 146 who desires
10 to apply his or her national service educational
11 award to the payment of current full-time or part-
12 time educational expenses shall, on a form pre-
13 scribed by the Corporation, submit an application to
14 the institution of higher education in which the stu-
15 dent will be enrolled that contains such information
16 as the Corporation may require to verify the individ-
17 ual's eligibility.

18 “(2) SUBMISSION OF REQUESTS FOR PAYMENT
19 BY INSTITUTIONS.—An institution of higher edu-
20 cation that receives one or more applications that
21 comply with paragraph (1) shall submit to the Cor-
22 poration a statement, in a manner prescribed by the
23 Corporation, that—

24 “(A) identifies each eligible individual fil-
25 ing an application under paragraph (1) for a

1 disbursement of the individual's national service
2 educational award under this subsection;

3 “(B) specifies the amounts for which such
4 eligible individuals are, consistent with para-
5 graph (6), qualified for disbursement under this
6 subsection;

7 “(C) certifies that (i) the institution of
8 higher education has in effect a program par-
9 ticipation agreement under section 487 of the
10 Higher Education Act of 1965 (20 U.S.C.
11 1094), and (ii) the institution's eligibility to
12 participate in any of the programs under title
13 IV of such Act (20 U.S.C. 1070 et seq.) has not
14 been limited, suspended, or terminated; and

15 “(D) contains such provisions concerning
16 financial compliance as the Corporation may re-
17 quire.

18 “(3) DISBURSEMENT OF PAYMENTS.—Upon re-
19 ceipt of a statement from an institution of higher
20 education that complies with paragraph (2), the Cor-
21 poration shall, subject to paragraph (4), disburse the
22 total amount of the national service educational
23 awards for which eligible individuals who have sub-
24 mitted applications to that institution under para-
25 graph (1) are qualified. Such disbursement shall be

1 made by check or other means that is payable to the
2 institution and requires the endorsement or other
3 certification by the eligible individual.

4 “(4) MULTIPLE DISBURSEMENTS REQUIRED.—

5 The total amount required to be disbursed to an in-
6 stitution of higher education under paragraph (3)
7 for any period of enrollment shall be disbursed by
8 the Corporation in 2 or more installments, none of
9 which exceeds $\frac{1}{2}$ of such total amount. The interval
10 between the first and second such installment shall
11 not be less than $\frac{1}{2}$ of such period of enrollment, ex-
12 cept as necessary to permit the second installment to
13 be paid at the beginning of the second semester,
14 quarter, or similar division of such period of enroll-
15 ment.

16 “(5) REFUND RULES.—The Corporation shall,
17 by regulation, provide for the refund to the Cor-
18 poration (and the crediting to the national service
19 educational award of an eligible individual) of
20 amounts disbursed to institutions for the benefit of
21 eligible individuals who withdraw or otherwise fail to
22 complete the period of enrollment for which the as-
23 sistance was provided. Such regulations shall be con-
24 sistent with the fair and equitable refund policies re-
25 quired of institutions pursuant to section 484B of

1 the Higher Education Act of 1965 (20 U.S.C.
2 1091b). Amounts refunded to the Trust pursuant to
3 this paragraph may be used by the Corporation to
4 fund additional approved national service positions
5 under subtitle C.

6 “(6) MAXIMUM AWARD.—The portion of an eli-
7 gible individual’s total available national service edu-
8 cational award that may be disbursed under this
9 subsection for any period of enrollment shall not ex-
10 ceed the difference between—

11 “(A) the eligible individual’s cost of attend-
12 ance for such period of enrollment, determined
13 in accordance with section 472 of the Higher
14 Education Act of 1965 (20 U.S.C. 1087ll); and

15 “(B) the sum of (i) the student’s estimated
16 financial assistance for such period under part
17 A of title IV of such Act (20 U.S.C. 1070 et
18 seq.), and (ii) the student’s veterans’ education
19 benefits, determined in accordance with section
20 480(c) of such Act (20 U.S.C. 1087vv(c)).

21 “(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE
22 IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Cor-
23 poration shall by regulation provide for the payment of
24 national service educational awards to permit eligible indi-

viduals to participate in school-to-work programs approved by the Secretaries of Labor and Education.

“(e) INTEREST PAYMENTS DURING FORBEARANCE ON LOAN REPAYMENT.—The Corporation shall provide by regulation for the payment on behalf of an eligible individual of interest that accrues during a period for which such individual has obtained forbearance in the repayment of a qualified student loan (as defined in subsection (b)(6)), if the eligible individual successfully completes his or her required term of service (as determined under section 146(b)). Such regulations shall be prescribed after consultation with the Secretary of Education.

“(f) TREATMENT OF BENEFITS.—Notwithstanding any other provision of law, national service awards and other benefits received under this section shall not be taken into account in determining the need or eligibility of any person for benefits or assistance, or the amount of such benefits or assistance, under any Federal, State, or local program financed in whole or in part with Federal funds. The amount of any national service award or other benefits received under this section shall not be considered income for purposes of the Internal Revenue Code of 1986.

“(g) EXCEPTION.—With the approval of the Director, an approved national service program funded under sec-

1 tion 121, may offer participants the option of waiving
2 their right to receive a National Service Education Award
3 in order to receive an alternative post-service benefit fund-
4 ed by the program entirely with non-Federal funds.

5 “(h) DEFINITION OF INSTITUTION OF HIGHER EDU-
6 CATION.—Notwithstanding section 101 of this Act, for
7 purposes of this section the term ‘institution of higher
8 education’ has the meaning provided by section 481(a) of
9 the Higher Education Act of 1965 (20 U.S.C. 1088(a)).”.

10 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
11 tional and Community Service Act of 1990 (Public Law
12 101–610; 104 Stat. 3127) is amended by striking the
13 items relating to subtitle D of title I of such Act and in-
14 serting the following new items:

“Subtitle D—National Service Trust and Provision of National Service
Educational Awards

“Sec. 145. Establishment of the National Service Trust.

“Sec. 146. Individuals eligible to receive a national service educational award
from the Trust.

“Sec. 147. Determination of the amount of the national service educational
award.

“Sec. 148. Disbursement of national service educational awards.”.

15 (c) CONFORMING AMENDMENTS.—

16 (1) ELIGIBILITY FOR SUBSIDIZED STAFFORD
17 LOANS.—Section 428(a)(2)(C)(i) of the Higher Edu-
18 cation Act of 1965 (20 U.S.C. 1078(a)(2)(C)(i)) is
19 amended by inserting after “parts C and E of this
20 title,” the following: “any national service edu-
21 cational award such student will receive under sub-

1 title D of title I of the National and Community
2 Service Act of 1990 (42 U.S.C. 12751 et seq.),”.

3 (2) FORBEARANCE IN THE COLLECTION OF
4 STAFFORD LOANS.—Section 428 of the Higher Edu-
5 cation Act of 1965 is amended—

6 (A) in subsection (b)(1)—

7 (i) by redesignating subparagraphs
8 (W), (X), and (Y) as subparagraphs (X),
9 (Y), and (Z), respectively; and

10 (ii) by inserting immediately after
11 subparagraph (V) the following new sub-
12 paragraph:

13 “(W)(i) provides that, upon written re-
14 quest, a lender shall grant a borrower forbear-
15 ance on such terms as are otherwise consistent
16 with the regulations of the Secretary, during
17 periods in which the borrower is serving in a
18 national service position, for which he or she re-
19 ceives a national service educational award
20 under the National Service Trust Act of 1993;

21 “(ii) provides that clauses (iii) and (iv) of
22 subparagraph (V) shall also apply to a forbear-
23 ance granted under this subparagraph; and

24 “(iii) provides that interest shall continue
25 to accrue on a loan for which a borrower re-

1 ceives forbearance under this subparagraph and
2 shall be capitalized or paid by the borrower;”;
3 and

4 (B) in subsection (c)(3)(A), by striking
5 “subsection (b)(1)(V)” and inserting “sub-
6 section (b)(1) (V) and (W)”.

7 (3) ELIGIBILITY FOR STAFFORD LOAN FOR-
8 GIVENESS.—Section 428J of the Higher Education
9 Act of 1965 (20 U.S.C. 1078–10) is amended—

10 (A) in subsection (b)(1), is amended by
11 striking “October 1, 1992” and inserting “Oc-
12 tober 1, 1989”;

13 (B) in subsection (c), by adding at the end
14 the following new paragraph:

15 “(5) INELIGIBILITY OF NATIONAL SERVICE
16 EDUCATIONAL AWARD RECIPIENTS.—No student
17 borrower may, for the same volunteer service, receive
18 a benefit under both this section and subtitle D of
19 title I of the National and Community Service Act
20 of 1990 (42 U.S.C. 12751 et seq.).”; and

21 (C) by adding at the end the following new
22 subsection:

23 “(h) TREATMENT OF BENEFITS.—Notwithstanding
24 any other provision of law, the amount of any loan repaid
25 by the Secretary under this section shall not be taken into

1 account in determining the need or eligibility of any per-
2 son for benefits or assistance, or the amount of such bene-
3 fits or assistance, under any Federal, State, or local pro-
4 gram financed in whole or in part with Federal funds. The
5 amount of any loan repaid by the Secretary under this
6 section shall not be considered income for purposes of the
7 Internal Revenue Code of 1986.”.

8 (4) ELIGIBILITY FOR PERKINS LOAN FORGIVE-
9 NESS.—Section 465(a) of the Higher Education Act
10 of 1965 (20 U.S.C. 1087ee(a)) is amended by add-
11 ing at the end the following new paragraph:

12 “(6) No borrower may, for the same volunteer
13 service, receive a benefit under both this section and
14 subtitle D of title I of the National and Community
15 Service Act of 1990 (42 U.S.C. 12751 et seq.).”.

16 (5) IMPACT ON GENERAL NEEDS ANALYSIS.—
17 Section 480(j) of such Act (20 U.S.C. 1087vv(j)) is
18 amended by adding at the end the following new
19 paragraph:

20 “(3) Notwithstanding paragraph (1), any na-
21 tional service educational award such student will re-
22 ceive under subtitle D of title I of the National and
23 Community Service Act of 1990 (42 U.S.C. 12751
24 et seq.) shall not be taken into account in determin-

1 ing estimated financial assistance not received under
2 this title.”.

3 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**
4 **ICE-LEARNING PROGRAMS.**

5 (a) **AMENDMENTS TO SERVE-AMERICA PROGRAMS.—**

6 (1) **PURPOSE.**—The purpose of this subsection
7 is to improve the Serve-America programs estab-
8 lished under part I of subtitle B of the National and
9 Community Service Act of 1990, and to enable the
10 Corporation for National Service, and the entities
11 receiving financial assistance under such part, to—

12 (A) work with teachers in elementary
13 schools and secondary schools within a commu-
14 nity, and with community-based agencies, to
15 create and offer service-learning opportunities
16 for all school-age youth;

17 (B) educate teachers, and faculty providing
18 teacher training and retraining, about service-
19 learning, and incorporate service-learning op-
20 portunities into classroom teaching to strength-
21 en academic learning;

22 (C) coordinate the work of adult volunteers
23 who work with elementary and secondary
24 schools as part of their community service ac-
25 tivities; and

1 (D) work with employers in the commu-
2 nities to ensure that projects introduce the stu-
3 dents to various careers and expose the stu-
4 dents to needed further education and training.

5 (2) PROGRAMS.—Subtitle B of title I of the Na-
6 tional and Community Service Act of 1990 (42
7 U.S.C. 12501 et seq.) is amended by striking the
8 subtitle heading and all that follows through the end
9 of part I and inserting the following:

10 **“Subtitle B—School-Based and**
11 **Community-Based Service-**
12 **Learning Programs**

13 **“PART I—SERVE-AMERICA PROGRAMS**

14 **“Subpart A—School-Based Programs for Students**

15 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**
16 **TRIBES.**

17 **“(a) USE OF FUNDS.—**The Corporation, in con-
18 sultation with the Secretary of Education, may make
19 grants under section 112(b)(1), and allotments under sub-
20 sections (a) and (b)(2) of section 112, to States (acting
21 through their State educational agency) and Indian tribes
22 to pay for the Federal share of—

23 **“(1) planning and building the capacity of the**
24 **States or Indian tribes (which may be accomplished**
25 **through grants or contracts with qualified organiza-**

1 tions) to implement school-based service-learning
2 programs, including—

3 “(A) providing training for teachers, su-
4 pervisors, personnel from community-based
5 agencies (particularly with regard to the utiliza-
6 tion of participants), and trainers, to be con-
7 ducted by qualified individuals or organizations
8 that have experience with service-learning;

9 “(B) developing service-learning curricula
10 to be integrated into academic programs, in-
11 cluding the age-appropriate learning component
12 described in section 114(d)(5)(B);

13 “(C) forming local partnerships described
14 in paragraph (2) or (4) to develop school-based
15 service-learning programs in accordance with
16 this subpart;

17 “(D) devising appropriate methods for re-
18 search and evaluation of the educational value
19 of service-learning and the effect of service-
20 learning activities on communities; and

21 “(E) establishing effective outreach and
22 dissemination of information to ensure the
23 broadest possible involvement of community-
24 based agencies with demonstrated effectiveness

1 in working with school-age youth in their com-
2 munities;

3 “(2) implementing, operating, or expanding
4 school-based service-learning programs, which may
5 include paying for the cost of the recruitment, train-
6 ing, supervision, placement, salaries, and benefits of
7 service-learning coordinators, through State dis-
8 tribution of Federal funds made available under this
9 subpart to projects operated by local partnerships
10 among—

11 “(A) local educational agencies; and

12 “(B) one or more community partners
13 that—

14 “(i) shall include a public or private
15 not-for-profit organization that—

16 “(I) has a demonstrated and ex-
17 tensive expertise in the provision of
18 services to meet unmet human, edu-
19 cational, environmental, or public
20 safety needs;

21 “(II) was in existence at least 1
22 year before the date on which the or-
23 ganization applies to participate in the
24 partnership; and

1 “(III) will make projects avail-
2 able for participants, who shall be stu-
3 dents; and

4 “(ii) may include a private for-profit
5 business or private elementary or second-
6 ary school;

7 “(3) planning of school-based service-learning
8 programs through State distribution of Federal
9 funds made available under this subpart to local
10 educational agencies, which planning may include
11 paying for the cost of—

12 “(A) the salaries and benefits of service-
13 learning coordinators; or

14 “(B) the recruitment, training, supervision,
15 and placement of service-learning coordinators
16 who are participants in a program under sub-
17 title C or receive a national service educational
18 award under subtitle D,

19 who will identify the community partners described
20 in paragraph (2)(B) and assist in the design and im-
21 plementation of a program described in paragraph
22 (2); and

23 “(4) implementing, operating, or expanding
24 school-based service-learning programs involving
25 adult volunteers to utilize service-learning to improve

1 the education of students through State distribution
2 of Federal funds made available under this part to
3 local partnerships among—

4 “(A) local educational agencies; and

5 “(B) one or more—

6 “(i) public or private not-for-profit or-
7 ganizations;

8 “(ii) other educational agencies; or

9 “(iii) private for-profit businesses,

10 that coordinate and operate projects for participants,
11 who shall be students.

12 “(b) DUTIES OF SERVICE-LEARNING COORDINA-
13 TOR.—A service-learning coordinator referred to in para-
14 graph (2) or (3) of subsection (a) shall provide services
15 to a local educational agency by—

16 “(1) expanding the awareness of teachers of the
17 potential of service-learning in strengthening the
18 educational achievement, leadership development,
19 and substantive learning, of students;

20 “(2) providing technical assistance and informa-
21 tion to, and facilitating the training of, teachers who
22 want to use service-learning in their classrooms;

23 “(3) assisting local partnerships described in
24 subsection (a) in the planning, development, and
25 execution of service-learning projects;

1 “(4) recruiting and supervising adult vol-
2 unteers, or individuals who are participants in a pro-
3 gram under subtitle C or receive a national service
4 educational award under subtitle D, to expand serv-
5 ice-learning opportunities; and

6 “(5) coordinating the activities of the service-
7 learning coordinator with the activities of the com-
8 mittee described in section 114(d)(1), and, where
9 appropriate, assisting the committee.

10 “(c) **RELATED EXPENSES.**—A partnership, local edu-
11 cational agency, or other qualified organization that re-
12 ceives financial assistance under this subpart may, in car-
13 rying out the activities described in subsection (a), use
14 such assistance to pay for the Federal share of reasonable
15 costs related to the supervision of participants, program
16 administration, transportation, insurance, evaluations,
17 and for other reasonable expenses related to the activities.

18 **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**
19 **NONPARTICIPATING STATES.**

20 “In any fiscal year in which a State does not submit
21 an application under section 113, for an allotment under
22 subsection (a) or (b)(2) of section 112, that meets the re-
23 quirements of section 113 and such other requirements
24 as the Chairperson may determine to be appropriate, the

1 Corporation may use the allotment of that State to make
2 direct grants to pay for the Federal share of the cost of—

3 “(1) carrying out the activities described in
4 paragraph (2) or (4) of section 111(a), to a local
5 partnership described in such paragraph; or

6 “(2) carrying out the activities described in
7 paragraph (3) of such section, to an agency de-
8 scribed in such paragraph,
9 that is located in the State.

10 **“SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
11 **NOT-FOR-PROFIT ORGANIZATIONS.**

12 “(a) IN GENERAL.—The Corporation may make a
13 grant under section 112(b)(1) to a public or private not-
14 for-profit organization that—

15 “(1) has experience with service-learning;

16 “(2) was in existence 1 year before the date on
17 which the organization submitted an application
18 under section 114(a); and

19 “(3) meets such other criteria as the Chair-
20 person may establish.

21 “(b) USE OF FUNDS.—Such an organization may use
22 a grant made under subsection (a) to make grants to part-
23 nerships described in paragraph (2) or (4) of section
24 111(a) to implement, operate, or expand school-based
25 service-learning programs as described in such section and

1 provide technical assistance and training to appropriate
2 persons.

3 "SEC. 112. GRANTS AND ALLOTMENTS.

4 “(a) INDIAN TRIBES AND TERRITORIES.—Of the
5 amounts appropriated to carry out this subpart for any
6 fiscal year, the Corporation shall reserve an amount of not
7 more than 1 percent for payments to Indian tribes, the
8 Virgin Islands, Guam, American Samoa, and the Com-
9 monwealth of the Northern Mariana Islands, to be allotted
10 in accordance with their respective needs. The Corporation
11 may also make payments from such amount to Palau, in
12 accordance with its needs, until such time as the Compact
13 of Free Association with Palau is ratified.

14 “(b) GRANTS AND ALLOTMENTS THROUGH
15 STATES.—The Corporation shall use the remainder of the
16 funds appropriated to carry out this subpart for any fiscal
17 year as follows:

18 “(1) GRANTS.—Except as provided in para-
19 graph (3), from 25 percent of such funds, the Cor-
20 poration may make grants, on a competitive basis,
21 to—

22 “(A) State educational agencies and Indian
23 tribes; or

24 “(B) as described in section 111B, to
25 grantmaking entities.

1 “(2) ALLOTMENTS.—

2 “(A) SCHOOL-AGE YOUTH.—Except as pro-
3 vided in paragraph (3), from 37.5 percent of
4 such funds, the Corporation shall allot to each
5 State an amount that bears the same ratio to
6 37.5 percent of such funds as the number of
7 school-age youth in the State bears to the total
8 number of school-age youth of all States.

9 “(B) ALLOCATION UNDER ELEMENTARY
10 AND SECONDARY EDUCATION ACT OF 1965.—
11 Except as provided in paragraph (3), from 37.5
12 percent of such funds, the Corporation shall
13 allot to each State an amount that bears the
14 same ratio to 37.5 percent of such funds as the
15 allocation to the State for the previous fiscal
16 year under chapter 1 of title I of the Elemen-
17 tary and Secondary Education Act of 1965 (20
18 U.S.C. 2711 et seq.) bears to such allocations
19 to all States.

20 “(3) MINIMUM AMOUNT.—No State shall re-
21 ceive, under paragraph (2), an allotment that is less
22 than the allotment such State received for fiscal year
23 1993 under section 112(b) of this Act, as in effect
24 on the day before the date of enactment of this part.
25 If the amount of funds made available in a fiscal

1 year to carry out paragraph (2) is insufficient to
2 make such allotments, the Corporation shall make
3 available sums from the 25 percent described in
4 paragraph (1) for such fiscal year to make such al-
5 lotments.

6 “(4) DEFINITION.—Notwithstanding section
7 101(25), for purposes of this subsection, the term
8 ‘State’ means each of the several States, the District
9 of Columbia, the Commonwealth of Puerto Rico, and
10 an Indian tribe.

11 “(c) REALLOTMENT.—If the Corporation determines
12 that the allotment of a State or Indian tribe under this
13 section will not be required for a fiscal year because the
14 State or Indian tribe does not submit an application for
15 the allotment under section 113 that meets the require-
16 ments of such section and such other requirements as the
17 Chairperson may determine to be appropriate, the Cor-
18 poration shall, after making any grants under section
19 111A to a partnership or agency described in such section,
20 make any remainder of such allotment available for real-
21 lotment to such other States, and Indian tribes, with ap-
22 proved applications submitted under section 113, as the
23 Corporation may determine to be appropriate.

24 “(d) EXCEPTION.—Notwithstanding subsections (a)
25 and (b), if less than \$20,000,000 is appropriated for any

1 fiscal year to carry out this subpart, the Corporation shall
2 award grants to States and Indian tribes, from the
3 amount so appropriated, on a competitive basis to pay for
4 the Federal share of the activities described in section 111.

5 **"SEC. 113. STATE OR TRIBAL APPLICATIONS.**

6 “(a) SUBMISSION.—To be eligible to receive a grant
7 under section 112(b)(1), an allotment under subsection
8 (a) or (b)(2) of section 112, a reallocation under section
9 112(c), or a grant under section 112(d), a State, acting
10 through the State educational agency, or an Indian tribe,
11 shall prepare, submit to the Corporation, and obtain ap-
12 proval of, an application at such time and in such manner
13 as the Chairperson may reasonably require.

14 “(b) CONTENTS.—An application that is submitted
15 under subsection (a) with respect to service-learning pro-
16 grams described in section 111 shall include—

17 “(1) a 3-year strategic plan, or a revision of a
18 previously approved 3-year strategic plan, for pro-
19 moting service-learning through the programs, which
20 plan shall contain such information as the Chair-
21 person may reasonably require, such as—

22 “(A) a description of the goals to be at-
23 tained in promoting service-learning through
24 such programs;

1 “(B) a description of the resources and or-
2 ganization needed to achieve the goals of such
3 programs within elementary schools and second-
4 ary schools; and

5 “(C) a description of the manner in
6 which—

7 “(i) such programs and the activities
8 to be carried out under such programs re-
9 late to the goals described in subparagraph
10 (A);

11 “(ii) the applicant will evaluate the
12 success of the programs and the extent of
13 community involvement in the programs,
14 and measure the extent to which the pro-
15 grams meet the goals described in subpara-
16 graph (A);

17 “(iii) in reviewing applications submit-
18 ted under section 114(c), the applicant has
19 ranked the applications according to the
20 criteria described in section 115(b), has
21 considered the factors described in section
22 115(a), and has reviewed the applications
23 in a manner that ensured the equitable
24 treatment of all such applications;

1 “(iv) the programs will be coordinated
2 with—

3 “(I) the education reform efforts
4 of the applicant;

5 “(II) other efforts to meet the
6 National Education Goals;

7 “(III) other service activities in
8 the State or serving the Indian tribe;
9 and

10 “(IV) other education programs,
11 training programs, social service pro-
12 grams, and appropriate programs that
13 serve school-age youth, that are au-
14 thorized under Federal law;

15 “(v) the applicant will disseminate in-
16 formation, conduct outreach, and take
17 other measures, to encourage cooperative
18 efforts among the local educational agen-
19 cies, local government agencies, commu-
20 nity-based agencies, State agencies, and
21 private for-profit businesses that will carry
22 out the service-learning programs proposed
23 by the applicant, to develop and provide
24 projects, including those that involve the

1 participation of urban, suburban, and rural
2 students working together;

3 “(vi) the applicant will promote ap-
4 propriate projects in such programs for
5 economically disadvantaged students, stu-
6 dents with limited basic skills, students in
7 foster care who are becoming too old for
8 foster care, students of limited-English
9 proficiency, homeless students, and stu-
10 dents with disabilities;

11 “(vii) service-learning training and
12 technical assistance will be provided
13 through the programs—

14 “(I) to State and local edu-
15 cational agency personnel, federally
16 assisted education specialists in the
17 State or serving the Indian tribe, and
18 local recipients of grants under this
19 subpart, to raise the awareness of
20 service-learning among such person-
21 nel, specialists, and recipients; and

22 “(II) by qualified and experi-
23 enced individuals employed by the
24 State or Indian tribe or through

1 grants or contracts with such individ-
2 uals;

3 “(viii) a service-learning network will
4 be established for the State or Indian
5 tribe, comprised of expert teachers and ad-
6 ministrators who have carried out success-
7 ful service-learning activities within the
8 State or serving the Indian tribe; and

9 “(ix) the applicant will use payments
10 from sources described in section
11 116(a)(2)(B) to expand projects for stu-
12 dents through the programs proposed by
13 the applicant;

14 “(2) assurances that—

15 “(A) the applicant will keep such records
16 and provide such information to the Cor-
17 poration with respect to the programs as may
18 be required for fiscal audits and program eval-
19 uation; and

20 “(B) the applicant will comply with the
21 nonduplication and nondisplacement require-
22 ments of section 177; and

23 “(3) such additional information as the Chair-
24 person may reasonably require.

1 "SEC. 114. LOCAL APPLICATIONS.

2 "(a) APPLICATION TO CORPORATION TO MAKE
3 GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PRO-
4 GRAMS.—

5 "(1) IN GENERAL.—To be eligible to receive a
6 grant in accordance with section 111B(a) to make
7 grants relating to school-based service-learning pro-
8 grams described in section 111(a)(2), a grantmaking
9 entity shall prepare, submit to the Corporation, and
10 obtain approval of, an application.

11 "(2) SUBMISSION.—Such application shall be
12 submitted at such time and in such manner, and
13 shall contain such information, as the Chairperson
14 may reasonably require. Such application shall in-
15 clude a proposal to assist such programs in more
16 than 1 State.

17 "(b) DIRECT APPLICATION TO CORPORATION TO
18 CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-
19 GRAMS IN NONPARTICIPATING STATES.—To be eligible to
20 receive a grant from the Corporation in the circumstances
21 described in section 111A to carry out an activity de-
22 scribed in such section, a partnership or agency described
23 in such section shall prepare, submit to the Corporation,
24 and obtain approval of, an application. Such application
25 shall be submitted at such time and in such manner, and

1 shall contain such information, as the Chairperson may
2 reasonably require.

3 “(c) APPLICATION TO STATE OR INDIAN TRIBE TO
4 RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED
5 SERVICE-LEARNING PROGRAMS.—

6 “(1) IN GENERAL.—Any—

7 “(A) qualified organization that desires to
8 receive financial assistance under this subpart
9 from a State or Indian tribe for an activity de-
10 scribed in section 111(a)(1);

11 “(B) partnership described in section
12 111(a)(2) that desires to receive such assistance
13 from a State, Indian tribe, or grantmaking en-
14 tity for an activity described in section
15 111(a)(2);

16 “(C) agency described in section 111(a)(3)
17 that desires to receive such assistance from a
18 State or Indian tribe for an activity described
19 in such section; or

20 “(D) partnership described in section
21 111(a)(4) that desires to receive such assistance
22 from a State or Indian tribe for an activity de-
23 scribed in such section,

24 to be carried out through a service-learning program
25 described in section 111, shall prepare, submit to

1 the State educational agency, Indian tribe, or
2 grantmaking entity, and obtain approval of, an ap-
3 plication for the program.

4 “(2) SUBMISSION.—Such application shall be
5 submitted at such time and in such manner, and
6 shall contain such information, as the agency, tribe,
7 or entity may reasonably require.

8 “(d) CONTENTS OF APPLICATION.—An application
9 that is submitted under subsection (a), (b), or (c) with
10 respect to a service-learning program described in section
11 111 shall, at a minimum, contain a proposal that
12 includes—

13 “(1) information specifying the membership and
14 role of an established advisory committee, consisting
15 of representatives of community-based agencies in-
16 cluding service recipients, students, parents, teach-
17 ers, administrators, representatives of agencies that
18 serve school-age youth or older adults, school board
19 members, representatives of local labor organiza-
20 tions, and representatives of business, that will pro-
21 vide advice with respect to the program;

22 “(2) a description of—

23 “(A) the goals of the program which shall
24 include goals that are quantifiable and dem-

1 onstrate any benefits from the program to par-
2 ticipants and the community;

3 “(B) service-learning projects to be pro-
4 vided under the program, and evidence that
5 participants will make a sustained commitment
6 to service in the projects;

7 “(C) the manner in which participants in
8 the program were or will be involved in the de-
9 sign and operation of the program;

10 “(D) training for supervisors, teachers,
11 service sponsors, and participants in the pro-
12 gram;

13 “(E) the manner in which exemplary serv-
14 ice will be recognized under the program; and

15 “(F) any resources that will permit con-
16 tinuation of the program, if needed, after the
17 assistance received under this subpart for the
18 program has ended;

19 “(3) information that shall include—

20 “(A) a disclosure of whether or not the
21 participants will receive academic credit for par-
22 ticipation in the program;

23 “(B) the expected number of participants
24 in the program and the hours of service that

1 such participants will provide individually and
2 as a group;

3 “(C) the proportion of expected partici-
4 pants in the program who are economically dis-
5 advantaged, including participants with disabil-
6 ities; and

7 “(D) any role of adult volunteers in imple-
8 menting the program, and the manner in which
9 such volunteers will be recruited;

10 “(4) in the case of an application submitted by
11 a local partnership, a written agreement, between
12 the members of the local partnership, stating that
13 the program was jointly developed by the members
14 and that the program will be jointly executed by the
15 members; and

16 “(5) assurances that—

17 “(A) prior to the placement of a partici-
18 pant, the entity carrying out the program will
19 consult with any local labor organization rep-
20 resenting employees in the area who are en-
21 gaged in the same or similar work as that pro-
22 posed to be carried out by such program, to
23 prevent the displacement and protect the rights
24 of such employees;

1 “(B) the entity carrying out the program
2 will develop an age-appropriate learning compo-
3 nent for participants in the program that shall
4 include a chance for participants to analyze and
5 apply their service experiences; and

6 “(C) the entity carrying out the program
7 will comply with the nonduplication and
8 nondisplacement requirements of section 177
9 and grievance procedure requirements of section
10 176(f).

11 **“SEC. 115. CONSIDERATION OF APPLICATIONS.**

12 “(a) **CRITERIA FOR APPLICATIONS.**—In approving
13 applications for financial assistance under subsection (a),
14 (b), (c), or (d) of section 112, the Corporation shall con-
15 sider such criteria with respect to sustainability,
16 replicability, innovation, and quality of programs under
17 this subpart as the Chairperson may by regulation specify.
18 In providing assistance under this subpart, a State edu-
19 cational agency, Indian tribe, or grantmaking entity shall
20 consider such criteria.

21 “(b) **PRIORITY FOR LOCAL APPLICATIONS.**—

22 “(1) **IN GENERAL.**—In providing assistance
23 under this subpart, a State educational agency or
24 Indian tribe, or the Corporation if section 111A or
25 111B applies, shall give priority to entities that sub-

1 mit applications under section 114 with respect to
2 service-learning programs described in section 111
3 that—

4 “(A) involve participants in the design and
5 operation of the program;

6 “(B) are in the greatest need of assistance,
7 such as programs targeting low-income areas;

8 “(C) involve—

9 “(i) students from public elementary
10 or secondary schools, and students from
11 private elementary or secondary schools,
12 serving together; or

13 “(ii) students of different ages, races,
14 sexes, ethnic groups, disabilities, or eco-
15 nomic backgrounds, serving together; or

16 “(D) are integrated into the academic pro-
17 gram of the participants.

18 “(c) REJECTION OF APPLICATIONS.—If the Cor-
19 poration rejects an application submitted by a State under
20 section 113 for an allotment under subsection (b)(2) of
21 section 112, the Corporation shall promptly notify the
22 State of the reasons for the rejection of the application.
23 The Corporation shall provide the State with a reasonable
24 opportunity to revise and resubmit the application and
25 shall provide technical assistance, if needed, to the State

1 as part of the resubmission process. The Corporation shall
2 promptly reconsider such resubmitted application.

3 **"SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**
4 **FROM PRIVATE SCHOOLS.**

5 "(a) IN GENERAL.—To the extent consistent with the
6 number of students in the State or Indian tribe or in the
7 school district of the local educational agency involved who
8 are enrolled in private not-for-profit elementary and sec-
9 ondary schools, such State, Indian tribe, or agency shall
10 (after consultation with appropriate private school rep-
11 resentatives) make provision—

12 - "(1) for the inclusion of services and arrange-
13 ments for the benefit of such students so as to allow
14 for the equitable participation of such students in
15 the programs implemented to carry out the objec-
16 tives and provide the benefits described in this sub-
17 part; and

18 "(2) for the training of the teachers of such
19 students so as to allow for the equitable participa-
20 tion of such teachers in the programs implemented
21 to carry out the objectives and provide the benefits
22 described in this subpart.

23 "(b) WAIVER.—If a State, Indian tribe, or local edu-
24 cational agency is prohibited by law from providing for
25 the participation of students or teachers from private not-

1 for-profit schools as required by subsection (a), or if the
2 Corporation determines that a State, Indian tribe, or local
3 educational agency substantially fails or is unwilling to
4 provide for such participation on an equitable basis, the
5 Chairperson shall waive such requirements and shall ar-
6 range for the provision of services to such students and
7 teachers. Such waivers shall be subject to consultation,
8 withholding, notice, and judicial review requirements in
9 accordance with paragraphs (3) and (4) of section 1017(b)
10 of the Elementary and Secondary Education Act of 1965
11 (20 U.S.C. 2727(b)).

12 **"SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

13 **"(a) SHARE.—**

14 **"(1) IN GENERAL.—**The Federal share attrib-
15 utable to this subpart of the cost of carrying out a
16 program for which a grant or allotment is made
17 under this subpart may not exceed—

18 **"(A)** 90 percent of the total cost of the
19 program for the first year for which the pro-
20 gram receives assistance under this subpart;

21 **"(B)** 80 percent of the total cost of the
22 program for the second year for which the pro-
23 gram receives assistance under this subpart;

24 **"(C)** 70 percent of the total cost of the
25 program for the third year for which the pro-

1 gram receives assistance under this subpart;
2 and

3 “(D) 50 percent of the total cost of the
4 program for the fourth year, and for any sub-
5 sequent year, for which the program receives
6 assistance under this subpart.

7 “(2) CALCULATION.—In providing for the re-
8 maining share of the cost of carrying out such a pro-
9 gram, each recipient of assistance under this
10 subpart—

11 “(A) shall provide for such share through
12 a payment in cash or in kind, fairly evaluated,
13 including facilities, equipment, or services; and

14 “(B) may provide for such share through
15 State sources, local sources, or Federal sources
16 (other than funds made available under the na-
17 tional service laws).

18 “(b) WAIVER.—The Chairperson may waive the re-
19 quirements of subsection (a) in whole or in part with re-
20 spect to any such program in any fiscal year if the Cor-
21 poration determines that such a waiver would be equitable
22 due to a lack of available financial resources at the local
23 level.

24 “SEC. 116A. LIMITATIONS ON USES OF FUNDS.

25 “(a) ADMINISTRATIVE COSTS.—

1 “(1) LIMITATION.—Not more than 5 percent of
2 the amount of assistance provided to a State edu-
3 cational agency, Indian tribe, or grantmaking entity
4 that is the original recipient of a grant or allotment
5 under subsection (a), (b), (c), or (d) of section 112
6 for a fiscal year may be used to pay for administra-
7 tive costs incurred by—

8 “(A) the original recipient; or

9 “(B) the entity carrying out the service-
10 learning programs supported with the assist-
11 ance.

12 “(2) RULES ON USE.—The Chairperson may by
13 rule prescribe the manner and extent to which—

14 “(A) such assistance may be used to cover
15 administrative costs; and

16 “(B) that portion of the assistance avail-
17 able to cover administrative costs should be dis-
18 tributed between—

19 “(i) the original recipient; and

20 “(ii) the entity carrying out the serv-
21 ice-learning programs supported with the
22 assistance.

23 “(b) CAPACITY-BUILDING ACTIVITIES.—Not less
24 than 10 percent and not more than 15 percent of the
25 amount of assistance provided to a State educational

1 agency or Indian tribe that is the original recipient of a
2 grant or allotment under subsection (a), (b), (c), or (d)
3 of section 112 for a fiscal year may be used to build capac-
4 ity through training, technical assistance, curriculum de-
5 velopment, and coordination activities, described in section
6 111(a)(1).

7 “(c) LOCAL USES OF FUNDS.—Funds made available
8 under this subpart may not be used to pay any stipend,
9 allowance, or other financial support to any student who
10 is a participant under this subtitle, except reimbursement
11 for transportation, meals, and other reasonable out-of-
12 pocket expenses directly related to participation in a pro-
13 gram assisted under this subpart.

14 **“SEC. 116B. DEFINITIONS.**

15 “As used in this subpart:

16 “(1) GRANTMAKING ENTITY.—The term
17 ‘grantmaking entity’ means an organization de-
18 scribed in section 111B(a).

19 “(2) SCHOOL-BASED.—The term ‘school-based’
20 means based in an elementary school or a secondary
21 school.

22 “(3) STUDENT.—Notwithstanding section
23 101(28), the term ‘student’ means an individual who
24 is enrolled in an elementary or secondary school on
25 a full- or part-time basis.

1 **"Subpart B—Community-Based Service Programs for**
2 **School-Age Youth**

3 **"SEC. 117. DEFINITIONS.**

4 "As used in this subpart:

5 "(1) **COMMUNITY-BASED SERVICE PROGRAM.**—

6 The term 'community-based service program' means
7 a program described in section 117A(b)(1)(A).

8 "(2) **GRANTMAKING ENTITY.**—The term
9 'grantmaking entity' means a qualified organization
10 that—

11 "(A) submits an application under section
12 117C(a) to make grants to qualified organiza-
13 tions; and

14 "(B) was in existence 1 year before the
15 date on which the organization submitted the
16 application.

17 "(3) **QUALIFIED ORGANIZATION.**—The term
18 'qualified organization' means a public or private
19 not-for-profit organization with experience working
20 with school-age youth that meets such criteria as the
21 Chairperson may establish.

22 **"SEC. 117A. GENERAL AUTHORITY.**

23 "(a) **GRANTS.**—From the funds appropriated to
24 carry out this subpart for a fiscal year, the Corporation
25 may make grants to State Commissions, grantmaking en-
26 tities, and qualified organizations to pay for the Federal

1 share of the implementation, operation, expansion, or rep-
2 lication of community-based service programs.

3 “(b) USE OF FUNDS.—

4 “(1) STATE COMMISSIONS AND GRANTMAKING
5 ENTITIES.—A State Commission or grantmaking en-
6 tity may use a grant made under subsection (a)—

7 “(A) to make a grant to a qualified organi-
8 zation to implement, operate, expand, or rep-
9 licate a community-based service-learning pro-
10 gram that provides for meaningful human, edu-
11 cational, environmental, or public safety service
12 by participants, who shall be school-age youth;
13 or

14 “(B) to provide training and technical as-
15 sistance to such an organization.

16 “(2) QUALIFIED ORGANIZATIONS.—A qualified
17 organization, other than a grantmaking entity, may
18 use a grant made under subsection (a) to implement,
19 operate, expand, or replicate a program described in
20 paragraph (1)(A).

21 “SEC. 117B. STATE APPLICATIONS.

22 “(a) IN GENERAL.—To be eligible to receive a grant
23 under section 117A(a), a State Commission shall prepare,
24 submit to the Corporation, and obtain approval of, an ap-
25 plication.

1 “(b) SUBMISSION.—Such application shall be submit-
2 ted to the Corporation at such time and in such manner,
3 and shall contain such information, as the Chairperson
4 may reasonably require.

5 “(c) CONTENTS.—Such an application shall include,
6 at a minimum, a State plan that contains the descriptions,
7 proposals, and assurance described in section 117C(d)
8 with respect to each community-based service program
9 proposed to be carried out through funding distributed by
10 the State Commission under this subpart.

11 **“SEC. 117C. LOCAL APPLICATIONS.**

12 - “(a) APPLICATION TO CORPORATION TO MAKE
13 GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—
14 To be eligible to receive a grant from the Corporation
15 under section 117A(a) to make grants under section
16 117A(b)(1), a grantmaking entity shall prepare, submit
17 to the Corporation, and obtain approval of, an application
18 that proposes a community-based service program to be
19 carried out through grants made to qualified organiza-
20 tions. Such application shall be submitted at such time
21 and in such manner, and shall contain such information,
22 as the Chairperson may reasonably require.

23 “(b) DIRECT APPLICATION TO CORPORATION TO
24 CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—
25 To be eligible to receive a grant from the Corporation

under section 117A(a) to implement, operate, expand, or replicate a community service program, a qualified organization shall prepare, submit to the Corporation, and obtain approval of, an application that proposes a community-based service program to be carried out at multiple sites, or that proposes an innovative community-based service program. Such application shall be submitted at such time and in such manner, and shall contain such information, as the Chairperson may reasonably require.

1 “(c) APPLICATION TO STATE COMMISSION OR
1 GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY
1 OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be el-
1 igible to receive a grant from a State Commission or
1 grantmaking entity under section 117A(b)(1), a qualified
1 organization shall prepare, submit to the Commission or
1 entity, and obtain approval of, an application. Such appli-
1 cation shall be submitted at such time and in such man-
1 ner, and shall contain such information, as the Commis-
1 sion or entity may reasonably require.

2 “(d) REQUIREMENTS OF APPLICATION.—An applica-
2 tion submitted under subsection (a), (b), or (c) shall, at
2 a minimum, contain—

2 “(1) a description of any community-based
2 service program proposed to be implemented, oper-

1 ated, expanded, or replicated directly by the appli-
2 cant using assistance provided under this subpart;

3 “(2) a description of any grant program pro-
4 posed to be conducted by the applicant with assist-
5 ance provided under this subpart to support a com-
6 munity-based service program;

7 “(3) a proposal for carrying out the commu-
8 nity-based service program that describes the man-
9 ner in which the entity carrying out the program
10 will—

11 “(A) provide preservice and inservice train-
12 ing, for supervisors and participants, that will
13 be conducted by qualified individuals, or quali-
14 fied organizations, that have experience in com-
15 munity-based service programs;

16 “(B) include economically disadvantaged
17 individuals as participants in the program pro-
18 posed by the applicant;

19 “(C) provide an age-appropriate service-
20 learning component described in section
21 114(d)(5)(B);

22 “(D) conduct an appropriate evaluation of
23 the program;

24 “(E) provide for appropriate community
25 involvement in the program;

1 “(F) provide service experiences that pro-
2 mote leadership abilities among participants in
3 the program, including experiences that involve
4 such participants in program design;

5 “(G) involve participants in projects ap-
6 proved by community-based agencies;

7 “(H) establish and measure progress to-
8 ward the goals of the program; and

9 “(I) organize participants in the program
10 into teams, if appropriate, with team leaders
11 who may be participants in a program under
12 subtitle C or individuals who receive a national
13 service educational award under subtitle D; and

14 “(4) an assurance that the entity carrying out
15 the program proposed by the applicant will comply
16 with the nonduplication and nondisplacement provi-
17 sions of section 177 and grievance procedure re-
18 quirements of section 176(f).

19 **“SEC. 117D. CONSIDERATION OF APPLICATIONS.**

20 “(a) APPLICATION OF CRITERIA.—The Corporation
21 shall apply the criteria described in subsection (b) in de-
22 termining whether to approve an application submitted
23 under section 117B or under subsection (a) or (b) of sec-
24 tion 117C and to provide assistance under section 117A
25 to the applicant on the basis of the application.

1 “(b) ASSISTANCE CRITERIA.—In evaluating such an
2 application with respect to a program under this subpart,
3 the Corporation shall consider the criteria established for
4 national service programs under section 133(c).

5 “(c) APPLICATION TO SUBGRANTS.—A State Com-
6 mission or grantmaking entity shall apply the criteria de-
7 scribed in subsection (b) in determining whether to ap-
8 prove an application under section 117C(e) and to make
9 a grant under section 117A(b)(1) to the applicant on the
10 basis of the application.

11 **“SEC. 117E. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

12 “(a) FEDERAL SHARE.—

13 “(1) IN GENERAL.—The Federal share attrib-
14 utable to this subpart of the cost of carrying out a
15 program for which a grant is made under this sub-
16 part may not exceed the percentage specified in sub-
17 paragraph (A), (B), (C), or (D) of section 116(a)(1),
18 as appropriate.

19 “(2) CALCULATION.—Each recipient of assist-
20 ance under this subpart shall comply with section
21 116(a)(2).

22 “(b) WAIVER.—The Chairperson may waive the re-
23 quirements of subsection (a), in whole or in part, as pro-
24 vided in section 116(b).

1 **"SEC. 117F. LIMITATIONS ON USES OF FUNDS.**

2 “(a) **ADMINISTRATIVE COSTS.**—Not more than 5 per-
3 cent of the amount of assistance provided to a State Com-
4 mission, grantmaking entity, or qualified organization that
5 is the original recipient of a grant under section 117A(a)
6 for a fiscal year may be used to pay for administrative
7 costs incurred by—

8 “(1) the original recipient; or

9 “(2) the entity carrying out the community-
10 based service programs supported with the assist-
11 ance.

12 “(b) **RULES ON USE.**—The Chairperson may by rule
13 prescribe the manner and extent to which—

14 “(1) such assistance may be used to cover ad-
15 ministrative costs; and

16 “(2) that portion of the assistance available to
17 cover administrative costs should be distributed
18 between—

19 “(A) the original recipient; and

20 “(B) the entity carrying out the commu-
21 nity-based service programs supported with the
22 assistance.

23 **"Subpart C—Clearinghouse**

24 **"SEC. 118. SERVICE-LEARNING CLEARINGHOUSE.**

25 “(a) **IN GENERAL.**—The Corporation shall provide fi-
26 nancial assistance, from funds appropriated to carry out

1 subtitle H, to agencies described in subsection (b) to es-
2 tablish a clearinghouse, which shall carry out activities,
3 either directly or by arrangement with another such entity,
4 with respect to information about service-learning.

5 “(b) PUBLIC AND PRIVATE NOT-FOR-PROFIT AGEN-
6 CIES.—Public and private not-for-profit agencies that
7 have extensive experience with service-learning, including
8 use of adult volunteers to foster service-learning, shall be
9 eligible to receive assistance under subsection (a).

10 “(c) FUNCTION OF CLEARINGHOUSE.—An entity
11 that receives assistance under subsection (a) may—

12 “(1) assist entities carrying out State or local
13 service-learning programs with needs assessments
14 and planning;

15 “(2) conduct research and evaluations concern-
16 ing service-learning;

17 “(3)(A) provide leadership development and
18 training to State and local service-learning program
19 administrators, supervisors, service sponsors, and
20 participants; and

21 “(B) provide training to persons who can pro-
22 vide the leadership development and training de-
23 scribed in subparagraph (A);

1 “(4) facilitate communication among entities
2 carrying out service-learning programs and partici-
3 pants in such programs;

4 “(5) provide information, curriculum materials,
5 and technical assistance relating to planning and op-
6 eration of service-learning programs, to States and
7 local entities eligible to receive financial assistance
8 under this title;

9 “(6) provide information regarding methods to
10 make service-learning programs accessible to individ-
11 uals with disabilities;

12 “(7)(A) gather and disseminate information on
13 successful service-learning programs, components of
14 such successful programs, innovative youth skills
15 curricula related to service-learning, and service-
16 learning projects; and

17 “(B) coordinate the activities of the Clearing-
18 house with appropriate entities to avoid duplication
19 of effort;

20 “(8) make recommendations to State and local
21 entities on quality controls to improve the quality of
22 service-learning programs;

23 “(9) assist organizations in recruiting, screen-
24 ing, and placing service-learning coordinators; and

1 “(10) carry out such other activities as the
2 Chairperson determines to be appropriate.”.

3 (b) HIGHER EDUCATION INNOVATIVE PROJECTS.—
4 Subtitle B of title I of the National and Community Serv-
5 ice Act of 1990 (42 U.S.C. 12531 et seq.) is amended
6 by striking part II and inserting the following:

7 **“PART II—HIGHER EDUCATION INNOVATIVE**
8 **PROGRAMS FOR COMMUNITY SERVICE**

9 **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**
10 **FOR COMMUNITY SERVICE.**

11 “(a) PURPOSE.—It is the purpose of this part to ex-
12 pand participation in community service by supporting in-
13 novative community service programs carried out through
14 institutions of higher education, acting as civic institutions
15 to meet the human, educational, environmental, or public
16 safety needs of neighboring communities.

17 “(b) GENERAL AUTHORITY.—The Corporation, in
18 consultation with the Secretary of Education, is author-
19 ized to make grants to, and enter into contracts with, in-
20 stitutions of higher education (including a combination of
21 such institutions), and partnerships comprised of such in-
22 stitutions and of other public agencies or not-for-profit
23 private organizations, to pay for the Federal share of the
24 cost of—

1 “(1) enabling such an institution or partnership
2 to create or expand an organized community service
3 program that—

4 “(A) engenders a sense of social respon-
5 sibility and commitment to the community in
6 which the institution is located; and

7 “(B) provides projects for participants,
8 who shall be students, faculty, administration,
9 or staff of the institution, or residents of the
10 community;

11 “(2) supporting student-initiated and student-
12 designed community service projects through the
13 program;

14 “(3) facilitating the integration of community
15 service carried out under the program into academic
16 curricula, including integration of clinical programs
17 into the curriculum for students in professional
18 schools, so that students can obtain credit for their
19 community service projects;

20 “(4) supplementing the funds available to carry
21 out work-study programs under part C of title IV of
22 the Higher Education Act of 1965 (42 U.S.C. 2751
23 et seq.) to support service-learning and community
24 service through the community service program;

1 “(5) strengthening the service infrastructure
2 within institutions of higher education in the United
3 States through the program; and

4 “(6) providing for the training of teachers, pro-
5 spective teachers, related education personnel, and
6 community leaders in the skills necessary to develop,
7 supervise, and organize service-learning.

8 “(c) FEDERAL SHARE.—

9 “(1) SHARE.—

10 “(A) IN GENERAL.—The Federal share of
11 the cost of carrying out a community service
12 project for which a grant or contract is awarded
13 under this part may not exceed 50 percent.

14 “(B) CALCULATION.—Each recipient of as-
15 sistance under this part shall comply with sec-
16 tion 116(a)(2).

17 “(2) WAIVER.—The Chairperson may waive the
18 requirements of paragraph (1), in whole or in part,
19 as provided in section 116(b).

20 “(d) APPLICATION FOR GRANT.—

21 “(1) SUBMISSION.—To receive a grant or enter
22 into a contract under this part, an institution or
23 partnership described in subsection (b) shall pre-
24 pare, submit to the Corporation, and obtain approval

1 of, an application at such time and in such manner
2 as the Chairperson may reasonably require.

3 “(2) CONTENTS.—An application submitted
4 under paragraph (1) shall contain—

5 “(A) such information as the Chairperson
6 may reasonably require, such as a description
7 of—

8 “(i) the proposed program to be es-
9 tablished with assistance provided under
10 the grant or contract;

11 “(ii) the human, educational, environ-
12 mental, or public safety service that par-
13 ticipants will perform and the community
14 need that will be addressed under such
15 program;

16 “(iii) whether or not students will re-
17 ceive academic credit for community serv-
18 ice projects under the program;

19 “(iv) the procedure for training super-
20 visors and participants and for supervising
21 and organizing participants in such pro-
22 gram;

23 “(v) the procedures to ensure that the
24 program includes the age-appropriate

1 learning component described in section
2 114(d)(5)(B);

3 “(vi) the roles played by students and
4 community members, including service re-
5 cipients, in the design and implementation
6 of the program; and

7 “(vii) the budget for the program;
8 “(B) assurances that—

9 “(i) prior to the placement of a par-
10 ticipant, the applicant will consult with any
11 local labor organization representing em-
12 ployees in the area who are engaged in the
13 same or similar work as that proposed to
14 be carried out by such program, to prevent
15 the displacement and protect the rights of
16 such employees; and

17 “(ii) the applicant will comply with
18 the nonduplication and nondisplacement
19 provisions of section 177 and grievance
20 procedure requirements of section 176(f);
21 and

22 “(C) such other assurances as the Chair-
23 person may reasonably require.

24 “(e) PRIORITY.—

1 “(1) IN GENERAL.—In making grants and en-
2 tering into contracts under subsection (b), the Cor-
3 poration shall give priority to applicants that submit
4 applications containing proposals that—

5 “(A) demonstrate the commitment of the
6 institution of higher education, other than by
7 demonstrating the commitment of the students,
8 to supporting the community service projects
9 carried out under the program;

10 “(B) specify the manner in which the insti-
11 tution will promote faculty, administration, and
12 staff participation in the community service
13 projects;

14 “(C) specify the manner in which the insti-
15 tution will provide service to the community
16 through organized programs, including, where
17 appropriate, clinical programs for students in
18 professional schools;

19 “(D) describe any partnership that will
20 participate in the community service projects,
21 such as a partnership comprised of—

22 “(i) the institution;

23 “(ii)(I) a community-based agency;

24 “(II) a local government agency; or

1 “(III) a not-for-profit entity that
2 serves or involves school-age youth or older
3 adults; and

4 “(iii) a student organization;

5 “(E) demonstrate community involvement
6 in the development of the proposal;

7 “(F) specify that the institution will use
8 such assistance to strengthen the service infra-
9 structure in institutions of higher education; or

10 “(G) with respect to projects involving de-
11 livery of service, specify projects that involve
12 leadership development of school-age youth.

13 “(2) DETERMINATION.—In giving priority to
14 applicants under paragraph (1), the Corporation
15 shall give increased priority to such an applicant for
16 each characteristic described in subparagraphs (A)
17 through (G) of paragraph (1) that is reflected in the
18 application submitted by the applicant.

19 “(f) NATIONAL SERVICE EDUCATIONAL AWARD.—A
20 participant in a program funded under this part shall be
21 eligible for the national service educational award de-
22 scribed in subtitle D, if the participant served in an ap-
23 proved national service position.

24 “(g) DEFINITION.—Notwithstanding section
25 101(28), as used in this part, the term ‘student’ means

1 an individual who is enrolled in an institution of higher
2 education on a full- or part-time basis.

3 **"PART III—GENERAL PROVISIONS**

4 **"SEC. 120. AVAILABILITY OF APPROPRIATIONS.**

5 "Of the aggregate amount appropriated to carry out
6 this subtitle for each fiscal year—

7 "(1) a sum equal to 75 percent of such aggre-
8 gate amount shall be available to carry out part I,
9 of which—

10 "(A) 85 percent of such sum shall be avail-
11 able to carry out subpart A; and

12 "(B) 15 percent of such sum shall be avail-
13 able to carry out subpart B; and

14 "(2) a sum equal to 25 percent of such aggre-
15 gate amount shall be available to carry out part II."

16 (c) TABLE OF CONTENTS.—Section 1(b) of the Na-
17 tional and Community Service Act of 1990 (Public Law
18 101-610; 104 Stat. 3127) is amended by striking the
19 items relating to subtitle B of title I of such Act and in-
20 serting the following:

"Subtitle B—School-Based and Community-Based Service-Learning Programs

"PART I—SERVE-AMERICA PROGRAMS

"SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

"Sec. 111. Authority to assist States and Indian tribes.

"Sec. 111A. Authority to assist local applicants in nonparticipating States.

"Sec. 111B. Authority to assist public or private not-for-profit organizations.

"Sec. 112. Grants and allotments.

"Sec. 113. State or tribal applications.

"Sec. 114. Local applications.

- "Sec. 115. Consideration of applications.
- "Sec. 115A. Participation of students and teachers from private schools.
- "Sec. 116. Federal, State, and local contributions.
- "Sec. 116A. Limitations on uses of funds.
- "Sec. 116B. Definitions.

**"SUBPART B—COMMUNITY-BASED SERVICE PROGRAMS FOR SCHOOL-AGE
YOUTH**

- "Sec. 117. Definitions.
- "Sec. 117A. General authority.
- "Sec. 117B. State applications.
- "Sec. 117C. Local applications.
- "Sec. 117D. Consideration of applications.
- "Sec. 117E. Federal, State, and local contributions.
- "Sec. 117F. Limitations on uses of funds.

"SUBPART C—CLEARINGHOUSE

- "Sec. 118. Service-learning clearinghouse.

**"PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY
SERVICE**

- "Sec. 119. Higher education innovative programs for community service.

"PART III—GENERAL PROVISIONS

- "Sec. 120. Availability of appropriations."

1 SEC. 104. QUALITY AND INNOVATION ACTIVITIES.

2 (a) REPEAL.—Subtitle E of title I of the National
3 and Community Service Act of 1990 (42 U.S.C. 12591
4 et seq.) is repealed.

5 (b) TRANSFER.—Title I of the National and Commu-
6 nity Service Act of 1990 (42 U.S.C. 12501 et seq.) is
7 amended—

8 (1) by redesignating subtitle H (42 U.S.C.
9 12653 et seq.) as subtitle E;

10 (2) by inserting subtitle E (as redesignated by
11 paragraph (1) of this subsection) after subtitle D;

12 and

1 (3) by redesignating sections 195 through 195O
2 as sections 151 through 166, respectively.

3 (c) INVESTMENT FOR QUALITY AND INNOVATION.—
4 Title I of the National and Community Service Act of
5 1990 is further amended by adding before subtitle I (as
6 transferred by section 101(a) of this Act) the following
7 new subtitle:

8 **“Subtitle H—Investment for**
9 **Quality and Innovation**

10 **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**
11 **PORT NATIONAL SERVICE.**

12 “(a) METHODS OF CONDUCTING ACTIVITIES.—The
13 Corporation may carry out this section directly or through
14 grants, contracts, and cooperative agreements with other
15 entities.

16 “(b) INNOVATION AND QUALITY IMPROVEMENT.—

17 “(1) ACTIVITIES.—The Corporation may under-
18 take activities to improve the quality of national
19 service programs and to support innovative and
20 model programs, including—

21 “(A) programs under subtitle B or C for
22 rural youth;

23 “(B) employer-based retiree programs;

24 “(C) intergenerational programs;

1 “(D) programs involving and integrating
2 individuals with disabilities as participants pro-
3 viding service; and

4 “(E) programs sponsored by Governors.

5 “(2) INTERGENERATIONAL PROGRAM.—An
6 intergenerational program referred to in paragraph
7 (1)(C) may include a program in which older adults
8 provide services to children who participate in Head
9 Start programs.

10 “(c) SUMMER PROGRAMS.—The Corporation may
11 support service programs intended to be carried out be-
12 tween May 1 and October 1, except that such a program
13 may also include a year-round component.

14 “(d) COMMUNITY-BASED AGENCIES.—The Cor-
15 poration may provide training and technical assistance
16 and other assistance to service sponsors and other commu-
17 nity-based agencies that provide volunteer placements in
18 order to improve the ability of such agencies to use partici-
19 pants and other volunteers in a manner that results in
20 high-quality service and a positive service experience for
21 the participants and volunteers.

22 “(e) IMPROVE ABILITY TO APPLY FOR ASSIST-
23 ANCE.—The Corporation shall provide training and tech-
24 nical assistance to individuals, programs, local labor orga-
25 nizations, State educational agencies, State commissions,

1 local educational agencies, local governments, community-
2 based agencies, and other entities to enable them to apply
3 for funding under one of the national service laws, to con-
4 duct high-quality programs, to evaluate such programs,
5 and for other purposes.

6 “(f) NATIONAL SERVICE FELLOWSHIPS.—The Cor-
7 poration may award national service fellowships.

8 “(g) CONFERENCES AND MATERIALS.—The Cor-
9 poration may organize and hold conferences, and prepare
10 and publish materials, to disseminate information and pro-
11 mote the sharing of information among programs for the
12 purpose of improving the quality of programs and
13 projects.

14 “(h) PEACE CORPS AND VISTA TRAINING.—The
15 Corporation may provide training assistance to selected in-
16 dividuals who volunteer to serve in the Peace Corps or a
17 program authorized under title I of the Domestic Vol-
18 unteer Service Act of 1973 (42 U.S.C. 4951 et seq.). The
19 training shall be provided as part of the course of study
20 of the individual at an institution of higher education,
21 shall involve service-learning, and shall cover appropriate
22 skills that the individual will use in the Peace Corps or
23 VISTA.

24 “(i) PROMOTION AND RECRUITMENT.—The Cor-
25 poration may conduct a campaign to solicit funds for the

1 National Service Trust and other programs and activities
2 authorized under the national service laws and to promote
3 and recruit participants for programs that receive assist-
4 ance under the national service laws.

5 “(j) TRAINING.—The Corporation may support na-
6 tional and regional participant and supervisor training, in-
7 cluding leadership training and training in specific types
8 of service and in building the ethic of civic responsibility.

9 “(k) RESEARCH.—The Corporation may support re-
10 search on national service, including service-learning.

11 “(l) INTERGENERATIONAL SUPPORT.—The Cor-
12 poration may assist programs in developing a service com-
13 ponent that combines students, out-of-school youths, and
14 older adults as participants to provide needed community
15 services.

16 “(m) PLANNING COORDINATION.—The Corporation
17 may coordinate community-wide planning among pro-
18 grams and projects.

19 “(n) YOUTH LEADERSHIP.—The Corporation may
20 support activities to enhance the ability of youth and
21 young adults to play leadership roles in national service.

22 “(o) NATIONAL PROGRAM IDENTITY.—The Cor-
23 poration may support the development and dissemination
24 of materials, including training materials, and arrange for
25 uniforms and insignia, designed to promote unity and

1 shared features among programs that receive assistance
2 under the national service laws.

3 “(p) SERVICE-LEARNING.—The Corporation shall
4 support innovative programs and activities that promote
5 service-learning.

6 “SEC. 198A. CLEARINGHOUSES.

7 “(a) ASSISTANCE.—The Corporation shall provide as-
8 sistance to appropriate entities to establish one or more
9 clearinghouses, including the clearinghouse described in
10 section 118.

11 “(b) APPLICATION.—To be eligible to receive assist-
12 -ance under subsection (a), an entity shall submit an appli-
13 cation to the Corporation at such time, in such manner,
14 and containing such information as the Corporation may
15 require.

16 “(c) FUNCTION OF CLEARINGHOUSES.—An entity
17 that receives assistance under subsection (a) may—

18 “(1) assist entities carrying out State or local
19 community service programs with needs assessments
20 and planning;

21 “(2) conduct research and evaluations concern-
22 ing community service;

23 “(3)(A) provide leadership development and
24 training to State and local community service pro-

1 gram administrators, supervisors, and participants;
2 and

3 “(B) provide training to persons who can pro-
4 vide the leadership development and training de-
5 scribed in subparagraph (A);

6 “(4) facilitate communication among entities
7 carrying out community service programs and par-
8 ticipants;

9 “(5) provide information, curriculum materials,
10 technical assistance relating to planning and oper-
11 ation of community service programs, to States and
12 local entities eligible to receive funds under this title;

13 “(6)(A) gather and disseminate information on
14 successful community service programs, components
15 of such successful programs, innovative youth skills
16 curriculum, and community service projects; and

17 “(B) coordinate the activities of the clearing-
18 house with appropriate entities to avoid duplication
19 of effort;

20 “(7) make recommendations to State and local
21 entities on quality controls to improve the delivery of
22 community service programs and on changes in the
23 programs under this title; and

24 “(8) carry out such other activities as the
25 Chairperson determines to be appropriate.”.

1 "SEC. 198B. PRESIDENTIAL AWARDS FOR SERVICE.

2 "(a) PRESIDENTIAL AWARDS.—

3 "(1) IN GENERAL.—The President, acting
4 through the Corporation, may make Presidential
5 awards for service to individuals providing signifi-
6 cant service, and to outstanding service programs.

7 "(2) INDIVIDUALS AND PROGRAMS.—Not-
8 withstanding section 101(17)—

9 "(A) an individual receiving an award
10 under this subsection need not be a participant
11 in a program authorized under this Act; and

12 "(B) a program receiving an award under
13 this subsection need not be a program author-
14 ized under this Act.

15 "(3) NATURE OF AWARD.—In making an award
16 under this section to an individual or program, the
17 President, acting through the Corporation—

18 "(A) is authorized to incur necessary ex-
19 penses for the honorary recognition of the indi-
20 vidual or program; and

21 "(B) is not authorized to make a cash
22 award to such individual or program.

23 "(b) INFORMATION.—The President, acting through
24 the Corporation, shall ensure that information concerning
25 individuals and programs receiving awards under this sec-
26 tion is widely disseminated.

1 "SEC. 198C. ASSISTANCE FOR HEAD START.

2 "Under section 198, the Corporation may make
3 grants to, and contracts and cooperative agreements with,
4 public and nonprofit private agencies and organizations
5 that receive grants and contracts under the Foster Grand-
6 parent Program (part B of title II of the Domestic Vol-
7 unteer Service Act of 1973), for projects of the type de-
8 scribed in section 211(a) of such Act operating under
9 memoranda of agreement with the ACTION Agency, for
10 the purpose of increasing the number of low-income indi-
11 viduals who provide services under such program to chil-
12 dren who participate in Head Start programs."

13 (d) TABLE OF CONTENTS.—

14 (1) CIVILIAN COMMUNITY CORPS.—Section 1(b)
15 of the National and Community Service Act of 1990
16 (Public Law 101-610; 104 Stat. 3127) is amended
17 by striking the items relating to subtitle E of title
18 I of such Act and inserting the following:

"Subtitle E—Civilian Community Corps

"Sec. 151. Purpose.

"Sec. 152. Establishment of Civilian Community Corps Demonstration Pro-
gram.

"Sec. 153. National service program.

"Sec. 154. Summer national service program.

"Sec. 155. Civilian Community Corps.

"Sec. 156. Training.

"Sec. 157. Service projects.

"Sec. 158. Authorized benefits for Corps personnel under Federal law.

"Sec. 159. Administrative provisions.

"Sec. 160. Status of Corps members and Corps personnel under Federal law.

"Sec. 161. Contract and grant authority.

"Sec. 162. Responsibilities of other departments.

"Sec. 163. Advisory board.

"Sec. 164. Annual evaluation.

"Sec. 165. Funding limitation.

"Sec. 166. Definitions."

1 (2) QUALITY AND INNOVATION.—Section 1(b)
2 of the National and Community Service Act of 1990
3 (Public Law 101–610; 104 Stat. 3127) is amended
4 by striking the items relating to subtitle H of title
5 I of such Act and inserting the following:

 "Subtitle H—Investment for Quality and Innovation

 "Sec. 198. Additional corporation activities to support national service.

 "Sec. 198A. Clearinghouses.

 "Sec. 198B. Presidential awards for service.

 "Sec. 198C. Assistance for Head Start."

6 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

7 (1) NATIONAL DEFENSE AUTHORIZATION ACT
8 FOR FISCAL YEAR 1993.—

9 (A) Section 1091(f)(2) of the National De-
10 fense Authorization Act for Fiscal Year 1993
11 (Public Law 102–484) is amended by striking
12 "195G" and inserting "158".

13 (B) Paragraphs (1) and (2) of section
14 1092(b), and sections 1092(c), 1093(a), and
15 1094(a) of such Act are amended by striking
16 "195A" and inserting "152".

17 (C) Sections 1091(f)(2), 1092(b)(1), and
18 1094(a), and subsections (a) and (c) of section
19 1095 of such Act are amended by striking
20 "subtitle H" and inserting "subtitle E".

1 (D) Section 1094(b)(1) and subsections (b)
2 and (c)(1) of section 1095 of such Act are
3 amended by striking “subtitles B, C, D, E, F,
4 and G” and inserting “subtitles B, C, D, F, G,
5 and H”.

6 (2) NATIONAL AND COMMUNITY SERVICE ACT
7 OF 1990.—

8 (A) Section 153(a) of the National and
9 Community Service Act of 1990 (as redesign-
10 nated in subsection (b)(3) of this section) (42
11 U.S.C. 12653b(a)) is amended by striking
12 “195A(a)” and inserting “152(a)”.

13 (B) Section 154(a) of such Act (as redesign-
14 nated in subsection (b)(3) of this section) (42
15 U.S.C. 12653c(a)) is amended by striking
16 “195A(a)” and inserting “152(a)”.

17 (C) Section 155 of such Act (as redesign-
18 nated in subsection (b)(3) of this section) (42
19 U.S.C. 12653d) is amended—

20 (i) in subsection (a), by striking
21 “195H(c)(1)” and inserting “159(c)(1)”;

22 (ii) in subsection (c)(2), by striking
23 “195H(c)(2)” and inserting “159(c)(2)”;
24 and

1 (iii) in subsection (d)(3), by striking
2 “195K(a)(3)” and inserting “162(a)(3)”.

3 (D) Section 156 of such Act (as redesign-
4 nated in subsection (b)(3) of this section) (42
5 U.S.C. 12653e) is amended—

6 (i) in subsection (c)(1), by striking
7 “195H(c)(2)” and inserting “159(c)(2)”;
8 and

9 (ii) in subsection (d), by striking
10 “195K(a)(3)” and inserting “162(a)(3)”.

11 (E) Section 159 of such Act (as redesign-
12 nated in subsection (b)(3) of this section) (42
13 U.S.C. 12653h) is amended—

14 (i) in subsection (a)—

15 (I) by striking “195A” and in-
16 serting “152”; and

17 (II) by striking “195” and in-
18 serting “151”; and

19 (ii) in subsection (c)(2)(C)(i), by
20 striking “195K(a)(2)” and inserting “sec-
21 tion 162(a)(2)”.

22 (F) Section 161(b)(1)(B) of such Act (as
23 redesignated in subsection (b)(3) of this sec-
24 tion) (42 U.S.C. 12653j(b)(1)(B)) is amended

1 by striking "195K(a)(3)" and inserting
2 "162(a)(3)".

3 (G) Section 162(a)(2)(A) of such Act (as
4 redesignated in subsection (b)(3) of this sec-
5 tion) (42 U.S.C. 12653k(a)(2)(A)) is amended
6 by striking "195(3)" and inserting "151(3)".

7 (H) Section 166 of such Act (as redesign-
8 nated in subsection (b)(3) of this section) (42
9 U.S.C. 12653o) is amended—

10 (i) in paragraph (2), by striking
11 "195D" and inserting "155";

12 (ii) in paragraph (8), by striking
13 "195A" and inserting "152";

14 (iii) in paragraph (10), by striking
15 "195D(d)" and inserting "155(d)"; and

16 (iv) in paragraph (11), by striking
17 "195D(c)" and inserting "155(c)".

18 (f) EXTENSION OF AUTHORITY TO CONDUCT CIVIL-
19 IAN COMMUNITY CORPS.—Section 1092(c) of the National
20 Defense Authorization Act for Fiscal Year 1993 (Public
21 Law 102–484; 106 Stat. 2534), as amended by subsection
22 (e)(1) of this section, is further amended by adding at the
23 end the following new sentence: "The amount made avail-
24 able for the Civilian Community Corps Demonstration

1 Program pursuant to this subsection shall remain avail-
2 able for expenditure during fiscal years 1993 and 1994.”.

3 (g) ADDITIONAL AMENDMENT REGARDING CIVILIAN
4 COMMUNITY CORPS.—Section 158 of the National and
5 Community Service Act of 1990 (as redesignated in sub-
6 section (b)(3) of this section) (42 U.S.C. 12653g) is
7 amended by striking subsections (f), (g), and (h) and in-
8 serting the following new subsections:

9 “(f) NATIONAL SERVICE EDUCATIONAL AWARDS.—
10 A Corps member who successfully completes a period of
11 agreed service in the Corps may receive the national serv-
12 ice educational award described in subtitle D if the Corps
13 member—

14 “(1) serves in an approved national service po-
15 sition; and

16 “(2) satisfies the eligibility requirements speci-
17 fied in section 146 with respect to service in that ap-
18 proved national service position.

19 “(g) ALTERNATIVE BENEFIT.—If a Corps member
20 who successfully completes a period of agreed service in
21 the Corps is ineligible for the national service educational
22 award described in subtitle D, the Director may provide
23 for the provision of a suitable alternative benefit for the
24 Corps member.”.

1 SEC. 105. PUBLIC LANDS CORPS.

2 Public Law 91-378 (16 U.S.C. 1701-1706; com-
3 monly known as the Youth Conservation Corps Act of
4 1970) is amended—

5 (1) by inserting before section 1 the following:

6 **“TITLE I—YOUTH**
7 **CONSERVATION CORPS”;**

8 (2) by striking “Act” each place it appears and
9 inserting “title”;

10 (3) by redesignating sections 1 through 6 as
11 sections 101 through 106, respectively;

12 (4) in section 102 (as so redesignated), by in-
13 serting “in this title” after “hereinafter” in sub-
14 section (a);

15 (5) in section 104 (as so redesignated), by
16 striking “section 6” in subsection (d) and inserting
17 “section 106”; and

18 (6) by adding at the end the following new title:

19 **“TITLE II—PUBLIC LANDS**
20 **CORPS**

21 **“SEC. 201. SHORT TITLE.**

22 “This title may be cited as the “Public Lands Corps
23 Act of 1993”.

24 **“SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE.**

25 “(a) FINDINGS.—The Congress finds the following:

1 “(1) Conserving or developing natural and cul-
2 tural resources and enhancing and maintaining envi-
3 ronmentally important lands and waters through the
4 use of the Nation’s young men and women in a Pub-
5 lic Lands Corps can benefit those men and women
6 by providing them with education and work opportu-
7 nities, furthering their understanding and apprecia-
8 tion of the natural and cultural resources, and pro-
9 viding a means to pay for higher education or to
10 repay indebtedness they have incurred to obtain
11 higher education while at the same time benefiting
12 the Nation’s economy and its environment.

13 “(2) Many facilities and natural resources lo-
14 cated on public lands and on Indian lands are in dis-
15 repair or degraded and in need of labor intensive re-
16 habilitation, restoration, and enhancement work
17 which cannot be carried out by Federal agencies at
18 existing personnel levels.

19 “(3) Youth conservation corps have established
20 a good record of restoring and maintaining these
21 kinds of facilities and resources in a cost effective
22 and efficient manner, especially when they have
23 worked in partnership arrangements with govern-
24 ment land management agencies.

25 “(b) PURPOSE.—It is the purpose of this title to—

1 “(1) perform, in a cost-effective manner, appro-
2 priate conservation projects on public lands and In-
3 dian lands where such projects will not be performed
4 by existing employees:

5 “(2) assist governments and Indian tribes in
6 performing research and public education tasks asso-
7 ciated with natural and cultural resources on public
8 lands and Indian lands;

9 “(3) expose young men and women to public
10 service while furthering their understanding and ap-
11 preciation of the nation's natural and cultural re-
12 sources;

13 “(4) expand educational opportunities by re-
14 warding individuals who participate in national serv-
15 ice with an increased ability to pursue higher edu-
16 cation or job training; and

17 “(5) stimulate interest among the nation's
18 young men and women in conservation careers by
19 exposing them to conservation professionals in land
20 managing agencies.

21 **“SEC. 203. DEFINITIONS.**

22 “For purposes of this title:

23 “(1) The term ‘appropriate conservation
24 project’ means any project for the conservation, res-
25 toration, construction or rehabilitation of natural,

1 cultural, historic, archaeological, recreational, or sce-
2 nic resources.

3 “(2) The terms ‘Corps’ and ‘Public Lands
4 Corps’ mean the Public Lands Corps established
5 under section 204.

6 “(3) The term ‘Indian tribe’ means an Indian
7 tribe, band, nation, or other organized group or com-
8 munity, including any Native village, Regional Cor-
9 poration, or Village Corporation, as defined in sub-
10 section (c), (g), or (j), respectively, of section 3 of
11 the Alaska Native Claims Settlement Act (43 U.S.C.
12 1602 (c), (g), or (j)), that is recognized as eligible
13 for the special programs and services provided by
14 the United States under Federal law to Indians be-
15 cause of their status as Indians.

16 “(4) The term ‘Indian’ means a person who is
17 a member of an Indian tribe.

18 “(5) The term ‘Indian lands’ means—

19 “(A) any Indian reservation;

20 “(B) any public domain Indian allotments;

21 “(C) any former Indian reservation in the
22 State of Oklahoma;

23 “(D) any land held by incorporated Native
24 groups, regional corporations, and village cor-

1 porations under the Alaska Native Claims Set-
2 tlement Act (43 U.S.C. 1701 et seq.); and

3 “(E) any land held by dependent Indian
4 communities within the borders of the United
5 States whether within the original or sub-
6 sequently acquired territory thereof, and wheth-
7 er within or without the limits of a State.

8 “(6) The term ‘public lands’ means any lands
9 or waters (or interest therein) owned or adminis-
10 tered by the United States, except that such term
11 does not include any Indian lands.

12 “(7) The term ‘qualified youth or conservation
13 corps’ means any program established by a State or
14 local government, by the governing body of any In-
15 dian tribe, or by a nonprofit organization that—

16 “(A) is capable of offering meaningful,
17 full-time, productive work for individuals be-
18 tween the ages of 16 and 25, inclusive, in a
19 natural or cultural resource setting;

20 “(B) gives participants a mix of work ex-
21 perience, basic and life skills, education, train-
22 ing, and support services; and

23 “(C) provides participants with the oppor-
24 tunity to develop citizenship values and skills

1 through service to their community and the
2 United States.

3 “(8) The term ‘resource assistant’ means a re-
4 source assistant selected under section 206.

5 “(9) The term ‘State’ means any State of the
6 United States, the District of Columbia, the Com-
7 monwealth of Puerto Rico, Guam, the Virgin Is-
8 lands, American Samoa, and the Commonwealth of
9 the Northern Mariana Islands.

10 **“SEC. 204. PUBLIC LANDS CORPS PROGRAM.**

11 “(a) ESTABLISHMENT OF PUBLIC LANDS CORPS.—
12 There is hereby established in the Department of the Inte-
13 rior and the Department of Agriculture a Public Lands
14 Corps.

15 “(b) PARTICIPANTS.—The Corps shall consist of indi-
16 viduals between the ages of 16 and 25, inclusive, who are
17 enrolled as participants in the Corps by the Secretary of
18 the Interior or the Secretary of Agriculture. To be eligible
19 for enrollment in the Corps, an individual shall satisfy the
20 criteria specified in section 137(b) of the National and
21 Community Service Act of 1990. The Secretaries may en-
22 roll such individuals in the Corps without regard to the
23 civil service and classification laws, rules, or regulations
24 of the United States. The Secretaries may establish a pref-
25 erence for the enrollment in the Corps of individuals who

1 are economically, physically, or educationally dis-
2 advantaged.

3 “(c) QUALIFIED YOUTH OR CONSERVATION
4 CORPS.—The Secretary of the Interior and the Secretary
5 of Agriculture are authorized to enter into contracts and
6 cooperative agreements with any qualified youth or con-
7 servation corps to perform appropriate conservation
8 projects referred to in subsection (d).

9 “(d) PROJECTS TO BE CARRIED OUT.—The Sec-
10 retary of the Interior and the Secretary of Agriculture
11 may each utilize the Corps or any qualified youth or con-
12 servation corps to carry out appropriate conservation
13 projects which such Secretary is authorized to carry out
14 under other authority of law on public lands. Appropriate
15 conservation projects may also be carried out under this
16 title on Indian lands with the approval of the Indian tribe
17 involved.

18 “(e) PREFERENCE FOR CERTAIN PROJECTS.—In se-
19 lecting appropriate conservation projects to be carried out
20 under this title, the Secretary of the Interior and the Sec-
21 retary of Agriculture shall give preference to those
22 projects which—

23 “(1) will provide long-term benefits to the pub-
24 lic;

1 “(2) will instill in the enrollee involved a work
2 ethic and a sense of public service;

3 “(3) will be labor intensive;

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

5 “(5) will provide academic, experiential, or envi-
6 ronmental education opportunities.

7 “(f) **CONSISTENCY.**—Each appropriate conservation
8 project carried out under this title on any public lands
9 or Indian lands shall be consistent with the provisions of
10 law and policies relating to the management and adminis-
11 tration of such lands, with all other applicable provisions
12 of law, and with all management, operational, and other
13 plans and documents which govern the administration of
14 the area.

15 **“SEC. 205. CONSERVATION CENTERS.**

16 “(a) **ESTABLISHMENT AND USE.**—The Secretary of
17 the Interior and the Secretary of Agriculture are each au-
18 thorized to provide such quarters, board, medical care,
19 transportation, and other services, facilities, supplies, and
20 equipment as such Secretary deems necessary in connec-
21 tion with the Public Lands Corps and appropriate con-
22 servation projects carried out under this title and to estab-
23 lish and use conservation centers owned and operated by
24 such Secretary for purposes of the Corps and such
25 projects. The Secretaries shall establish basic standards

1 of health, nutrition, sanitation, and safety for all con-
2 servation centers established under this section and shall
3 assure that such standards are enforced. Where necessary
4 or appropriate, the Secretaries may enter into contracts
5 and other appropriate arrangements with State and local
6 government agencies and private organizations for the
7 management of such conservation centers.

8 “(b) LOGISTICAL SUPPORT.—The Secretary of the
9 Interior and the Secretary of Agriculture may make ar-
10 rangements with the Secretary of Defense to have
11 logistical support provided by the Armed Forces to the
12 Corps and any conservation center established under this
13 section, where feasible. Logistical support may include the
14 provision of temporary tent shelters where needed, trans-
15 portation, and residential supervision.

16 “(c) USE OF MILITARY INSTALLATIONS.—The Sec-
17 retary of the Interior and the Secretary of Agriculture
18 may make arrangements with the Secretary of Defense to
19 identify military installations and other facilities of the
20 Department of Defense and, in consultation with the adju-
21 tant generals of the State National Guards, National
22 Guard facilities that may be used, in whole or in part,
23 by the Corps for training or housing Corps participants.

1 "SEC. 206. RESOURCE ASSISTANTS.

2 “(a) AUTHORIZATION.—The Secretary of the Interior
3 and the Secretary of Agriculture are each authorized to
4 provide individual placements of resource assistants with
5 any Federal land managing agency under the jurisdiction
6 of such Secretary to carry out research or resource protec-
7 tion activities on behalf of the agency. To be eligible for
8 selection as a resource assistant, an individual must be
9 at least 17 years of age. The Secretaries may select re-
10 source assistants without regard to the civil service and
11 classification laws, rules, or regulations of the United
12 States. The Secretaries shall give a preference to the selec-
13 tion of individuals who are enrolled in an institution of
14 higher education or are recent graduates from an institu-
15 tion of higher education, with particular attention given
16 to ensure full representation of women and participants
17 from historically black, Hispanic, and Native American
18 schools.

19 “(b) USE OF EXISTING NONPROFIT ORGANIZA-
20 TIONS.—Whenever one or more existing nonprofit organi-
21 zations can provide, in the judgment of the Secretary of
22 the Interior or the Secretary of Agriculture, appropriate
23 recruitment and placement services to fulfill the require-
24 ments of this section, the Secretary may implement this
25 section through such existing organizations. Participating
26 nonprofit organizations shall contribute to the expenses of

1 providing and supporting the resource assistants, through
2 private sources of funding, at a level equal to 25 percent
3 of the total costs of each participant in the Resource As-
4 sistant program who has been recruited and placed
5 through that organization. Any such participating non-
6 profit conservation service organization shall be required,
7 by the respective land managing agency, to submit an an-
8 nual report evaluating the scope, size, and quality of the
9 program, including the value of work contributed by the
10 Resource Assistants, to the mission of the agency.

11 **"SEC. 207. LIVING ALLOWANCES AND TERMS OF SERVICE.**

12 “(a) **LIVING ALLOWANCES.**—The Secretary of the In-
13 terior and the Secretary of Agriculture shall provide each
14 participant in the Public Lands Corps and each resource
15 assistant with a living allowance in an amount not to ex-
16 ceed the maximum living allowance authorized by section
17 140(a)(3) of the National and Community Service Act of
18 1990 for participants in a national service program as-
19 sisted under subtitle C of title I of such Act.

20 “(b) **TERMS OF SERVICE.**—Each participant in the
21 Corps and each resource assistant shall agree to partici-
22 pate in the Corps or serve as a resource assistant, as the
23 case may be, for such term of service as may be estab-
24 lished by the Secretary enrolling or selecting the individ-
25 ual.

1 **"SEC. 208. NATIONAL SERVICE EDUCATIONAL AWARDS.**

2 “(a) EDUCATIONAL BENEFITS AND AWARDS.—If a
3 participant in the Public Lands Corps or a resource assist-
4 ant also serves in an approved national service position
5 designated under subtitle C of title I of the National and
6 Community Service Act of 1990, the participant or re-
7 source assistant shall be eligible for a national service edu-
8 cational award in the manner prescribed in subtitle D of
9 such title upon successfully complying with the require-
10 ments for the award. The period during which the national
11 service educational award may be used, the purposes for
12 which the award may be used, and the amount of the
13 award shall be determined as provided under such subtitle.

14 “(b) FORBEARANCE IN THE COLLECTION OF STAF-
15 FORD LOANS.—For purposes of section 428 of the Higher
16 Education Act of 1965, in the case of borrowers who are
17 either participants in the Corps or resource assistants,
18 upon written request, a lender shall grant a borrower for-
19 bearance on such terms as are otherwise consistent with
20 the regulations of the Secretary of Education, during peri-
21 ods in which the borrower is serving as such a participant
22 or a resource assistant.

23 **"SEC. 209. NONDISPLACEMENT.**

24 “The nondisplacement requirements of section 177 of
25 the National and Community Service Act of 1990 shall
26 be applicable to all activities carried out by the Public

1 Lands Corps, to all activities carried out under this title
2 by a qualified youth or conservation corps, and to the se-
3 lection and service of resource assistants.

4 "SEC. 210. FUNDING.

5 "(a) COST SHARING.—

6 "(1) PROJECTS BY QUALIFIED YOUTH OR CON-
7 SERVATION CORPS.—The Secretary of the Interior
8 and the Secretary of Agriculture are each authorized
9 to pay not more than 75 percent of the costs of any
10 appropriate conservation project carried out pursu-
11 ant to this title on public lands by a qualified youth
12 or conservation corps. The remaining 25 percent of
13 the costs of such a project may be provided from
14 nonfederal sources in the form of funds, services, fa-
15 cilities, materials, equipment, or any combination of
16 the foregoing. No cost sharing shall be required in
17 the case of any appropriate conservation project car-
18 ried out on Indian lands under this title.

19 "(2) PUBLIC LANDS CORPS PROJECTS.—The
20 Secretary of the Interior and the Secretary of Agri-
21 culture are each authorized to accept donations of
22 funds, services, facilities, materials, or equipment for
23 the purposes of operating the Public Lands Corps
24 and carrying out appropriate conservation projects
25 by the Corps. However, nothing in this title shall be

1 construed to require any cost sharing for any project
2 carried out directly by the Corps.

3 “(b) FUNDS AVAILABLE UNDER NATIONAL AND
4 COMMUNITY SERVICE ACT.—In order to carry out the
5 Public Lands Corps or to support resource assistants and
6 qualified youth or conservation corps under this title, the
7 Secretary of the Interior and the Secretary of Agriculture
8 shall be eligible to apply for and receive assistance under
9 section 121(b) of the National and Community Service Act
10 of 1990.

11 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated such sums as may be
13 necessary to carry out this title.”.

14 **Subtitle B—Related Provisions**

15 **SEC. 111. DEFINITIONS.**

16 (a) IN GENERAL.—Section 101 of the National and
17 Community Service Act of 1990 (42 U.S.C. 12511) is
18 amended to read as follows:

19 **“SEC. 101. DEFINITIONS.**

20 “For purposes of this title:

21 “(1) ADULT VOLUNTEER.—The term ‘adult vol-
22 unteer’ means an individual, such as an older adult,
23 an individual with a disability, a parent, or an em-
24 ployee of a business or public or private not-for-prof-
25 it agency, who—

1 “(A) works without financial remuneration
2 in an educational institution to assist students
3 or out-of-school youth; and

4 “(B) is beyond the age of compulsory
5 school attendance in the State in which the edu-
6 cational institution is located.

7 “(2) APPROVED NATIONAL SERVICE POSI-
8 TION.—The term ‘approved national service position’
9 means a national service position designated by the
10 Corporation as a position that includes a national
11 service educational award described in section 147
12 as one of the benefits to be provided for successful
13 service in the position.

14 “(3) CARRY OUT.—The term ‘carry out’, when
15 used in connection with a national service program
16 described in section 122, means the planning, estab-
17 lishment, operation, expansion, or replication of the
18 program.

19 “(4) CHAIRPERSON.—The term ‘Chairperson’
20 means the Chairperson and Director of the Cor-
21 poration appointed under section 193.

22 “(5) COMMUNITY-BASED AGENCY.—The term
23 ‘community-based agency’ means a private not-for-
24 profit organization (including a church or other reli-
25 gious entity) that—

1 “(A) is representative of a community or a
2 significant segment of a community; and

3 “(B) is engaged in meeting human, edu-
4 cational, environmental, or public safety com-
5 munity needs.

6 “(6) CORPORATION.—The term ‘Corporation’
7 means the Corporation for National Service estab-
8 lished under section 191.

9 “(7) ECONOMICALLY DISADVANTAGED.—The
10 term ‘economically disadvantaged’ means, with re-
11 spect to an individual, an individual who is deter-
12 mined by the Chairperson to be low-income accord-
13 ing to the latest available data from the Department
14 of Commerce.

15 “(8) ELEMENTARY SCHOOL.—The term ‘ele-
16 mentary school’ has the same meaning given such
17 term in section 1471(8) of the Elementary and Sec-
18 ondary Education Act of 1965 (20 U.S.C. 2891(8)).

19 “(9) INDIAN.—The term ‘Indian’ means a per-
20 son who is a member of an Indian tribe.

21 “(10) INDIAN LANDS.—The term ‘Indian lands’
22 means any real property owned by an Indian tribe,
23 any real property held in trust by the United States
24 for an Indian or Indian tribe, and any real property
25 held by an Indian or Indian tribe that is subject to

1 restrictions on alienation imposed by the United
2 States.

3 “(11) INDIAN TRIBE.—The term ‘Indian tribe’
4 means an Indian tribe, band, nation, or other orga-
5 nized group or community, including any Native vil-
6 lage, Regional Corporation, or Village Corporation,
7 as defined in subsection (c), (g), or (j), respectively,
8 of section 3 of the Alaska Native Claims Settlement
9 Act (43 U.S.C. 1602 (c), (g), or (j)), that is rec-
10 ognized as eligible for the special programs and serv-
11 ices provided by the United States under Federal
12 law to Indians because of their status as Indians.

13 “(12) INSTITUTION OF HIGHER EDUCATION.—
14 The term ‘institution of higher education’ has the
15 same meaning given such term in section 1201(a) of
16 the Higher Education Act of 1965 (20 U.S.C.
17 1141(a)).

18 “(13) LOCAL EDUCATIONAL AGENCY.—The
19 term ‘local educational agency’ has the same mean-
20 ing given such term in section 1471(12) of the Ele-
21 mentary and Secondary Education Act of 1965 (20
22 U.S.C. 2891(12)).

23 “(14) NATIONAL SERVICE LAWS.—The term
24 ‘national service laws’ means this Act and the Do-

1 mestic Volunteer Service Act of 1973 (42 U.S.C.
2 4950 et seq.).

3 “(15) OUT-OF-SCHOOL YOUTH.—The term ‘out-
4 of-school youth’ means an individual who—

5 “(A) has not attained the age of 27;

6 “(B) has not completed college or the
7 equivalent thereof; and

8 “(C) is not enrolled in an elementary or
9 secondary school or institution of higher edu-
10 cation.

11 “(16) PARTICIPANT.—

12 “(A) IN GENERAL.—The term ‘participant’
13 means—

14 “(i) for purposes of subtitle C, an in-
15 dividual in an approved national service
16 position; and

17 “(ii) for purposes of any other provi-
18 sion of this Act, an individual enrolled in
19 a program that receives assistance under
20 this title.

21 “(B) RULE.—A participant shall not be
22 considered to be an employee of the program in
23 which the participant is enrolled.

24 “(17) PARTNERSHIP PROGRAM.—The term
25 ‘partnership program’ means a program through

1 which an adult volunteer, a public or private not-for-
2 profit agency, an institution of higher education, or
3 a business assists a local educational agency.

4 “(18) PROGRAM.—The term ‘program’, except
5 when used as part of the term ‘academic program’,
6 means a program described in section 111(a) (other
7 than a program referred to in paragraph (3)(B) of
8 such section), 117A(a), 119(b)(1), or 122(a), in
9 paragraph (1) or (2) of section 152(b), or in section
10 198.

11 “(19) PROJECT.—The term ‘project’ means an
12 activity, carried out through a program that receives
13 assistance under this title, that results in a specific
14 identifiable service or improvement that otherwise
15 would not be done with existing funds, and that does
16 not duplicate the routine services or functions of the
17 employer to whom participants are assigned.

18 “(20) SCHOOL-AGE YOUTH.—The term ‘school-
19 age youth’ means an individual who is—

20 “(A) between the ages of 5 and 17, inclu-
21 sive; or

22 “(B) a child with a disability covered by
23 the Individuals with Disabilities Education Act
24 (20 U.S.C. 1400 et seq.).

1 “(21) SECONDARY SCHOOL.—The term ‘second-
2 ary school’ has the same meaning given such term
3 in section 1471(21) of the Elementary and Second-
4 ary Education Act of 1965 (20 U.S.C. 2891(21)).

5 “(22) SERVICE-LEARNING.—The term ‘service-
6 learning’ means a method—

7 “(A) under which students or participants
8 learn and develop through active participation
9 in thoughtfully organized service that—

10 “(i) is conducted in and meets the
11 needs of a community;

12 “(ii) is coordinated with an elemen-
13 tary school, secondary school, institution of
14 higher education, or community service
15 program, and with the community; and

16 “(iii) helps foster civic responsibility;
17 and

18 “(B) that—

19 “(i) is integrated into and enhances
20 the academic curriculum of the students,
21 or the educational components of the com-
22 munity service program in which the par-
23 ticipants are enrolled; and

1 “(ii) provides structured time for the
2 students or participants to reflect on the
3 service experience.

4 “(23) SERVICE-LEARNING COORDINATOR.—The
5 term ‘service-learning coordinator’ means an individ-
6 ual who provides services as described in section
7 subsection (a)(3) or (b) of section 111.

8 “(24) SERVICE SPONSOR.—The term ‘service
9 sponsor’ means an organization, or other entity, that
10 has been selected to provide a placement for a par-
11 ticipant.

12 “(25) STATE.—The term ‘State’ means each of
13 the several States, the District of Columbia, the
14 Commonwealth of Puerto Rico, the Virgin Islands,
15 Guam, American Samoa, and the Commonwealth of
16 the Northern Mariana Islands. The term also in-
17 cludes Palau, until such time as the Compact of
18 Free Association is ratified.

19 “(26) STATE COMMISSION.—The term ‘State
20 Commission’ means a State Commission on National
21 Service maintained by a State pursuant to section
22 178. Except when used in section 178, the term in-
23 cludes an alternative administrative entity for a
24 State approved by the Corporation under such sec-
25 tion to act in lieu of a State Commission.

1 “(27) STATE EDUCATIONAL AGENCY.—The
2 term ‘State educational agency’ has the same mean-
3 ing given such term in section 1471(23) of the Ele-
4 mentary and Secondary Education Act of 1965 (20
5 U.S.C. 2891(23)).

6 “(28) STUDENT.—The term ‘student’ means an
7 individual who is enrolled in an elementary or sec-
8 ondary school or institution of higher education on
9 a full- or part-time basis.”.

10 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

11 (1) Section 182(a)(2) of the National and Com-
12 munity Service Act of 1990 (42 U.S.C 12642(a)(2))
13 is amended by striking “adult volunteer and partner-
14 ship” each place the term appears and inserting
15 “partnership”.

16 (2) Section 182(a)(3) of the National and Com-
17 munity Service Act of 1990 (42 U.S.C 12642(a)(3))
18 is amended by striking “adult volunteer and partner-
19 ship” and inserting “partnership”.

20 (3) Section 441(c)(2) of the Higher Education
21 Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by
22 striking “service opportunities or youth corps as de-
23 fined in section 101 of the National and Community
24 Service Act of 1990, and service in the agencies, in-
25 stitutions and activities designated in section 124(a)

1 of the National and Community Service Act of
2 1990” and inserting “a project, as defined in section
3 101(19) of the National and Community Service Act
4 of 1990 (42 U.S.C. 12511(18))”.

5 (4) Section 1122(a)(2)(C) of the Higher Edu-
6 cation Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is
7 amended by striking “youth corps as defined in sec-
8 tion 101(30) of the National and Community Service
9 Act of 1990” and inserting “youth corps programs,
10 as described in section 122(a)(1) of the National
11 and Community Service Act of 1990”.

12 (5) Section 1201(p) of the Higher Education
13 Act of 1965 (20 U.S.C. 1141(p)) is amended by
14 striking “section 101(22) of the National and Com-
15 munity Service Act of 1990” and inserting “section
16 101(22) of the National and Community Service Act
17 of 1990 (42 U.S.C. 12511(21))”.

18 **SEC. 112. AUTHORITY TO MAKE STATE GRANTS.**

19 Section 102 of the National and Community Service
20 Act of 1990 (42 U.S.C. 12512) is repealed.

21 **SEC. 113. FAMILY AND MEDICAL LEAVE.**

22 (a) **IN GENERAL.**—Section 171 of the National and
23 Community Service Act of 1990 (42 U.S.C. 12631) is
24 amended to read as follows:

1 **"SEC. 171. FAMILY AND MEDICAL LEAVE.**

2 “(a) PARTICIPANTS IN PRIVATE, STATE, AND LOCAL
3 PROJECTS.—For purposes of title I of the Family and
4 Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), if—

5 “(1) a participant has provided service for the
6 period required by section 101(2)(A)(i) (29 U.S.C.
7 2611(2)(A)(i)), and has met the hours of service re-
8 quirement of section 101(2)(A)(ii), of such Act with
9 respect to a project; and

10 “(2) the service sponsor of the project is an em-
11 ployer described in section 101(4) of such Act (other
12 than an employing agency within the meaning of
13 subchapter V of chapter 63 of title 5, United States
14 Code),

15 the participant shall be considered to be an eligible em-
16 ployee of the service sponsor.

17 “(b) PARTICIPANTS IN FEDERAL PROJECTS.—For
18 purposes of subchapter V of chapter 63 of title 5, United
19 States Code, if—

20 “(1) a participant has provided service for the
21 period required by section 6381(1)(B) of such title
22 with respect to a project; and

23 “(2) the service sponsor of the project is an em-
24 ploying agency within the meaning of such sub-
25 chapter,

1 the participant shall be considered to be an employee of
2 the service sponsor.”.

3 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
4 tional and Community Service Act of 1990 (Public Law
5 101-610; 104 Stat. 3127) is amended by striking the item
6 relating to section 171 of such Act and inserting the fol-
7 lowing:

“Sec. 171. Family and medical leave.”.

8 **SEC. 114. REPORTS.**

9 Section 172 of the National and Community Service
10 Act of 1990 (42 U.S.C. 12632) is amended—

11 (1) in subsection (a)(3)(A), by striking “sec-
12 tions 177 and 113(9)” and inserting “section 177”;
13 and

14 (2) in subsection (b)(1), by striking “this title”
15 and inserting “the national service laws”.

16 **SEC. 115. NONDISCRIMINATION.**

17 Section 175 of the National and Community Service
18 Act of 1990 (42 U.S.C. 12635) is amended to read as
19 follows:

20 **“SEC. 175. NONDISCRIMINATION.**

21 **“(a) IN GENERAL.—**

22 **“(1) BASIS.—**An individual with responsibility
23 for the operation of a project that receives assistance
24 under this title shall not discriminate against a par-
25 ticipant in, or member of the staff of, such project

1 on the basis of race, color, national origin, sex, age,
2 or political affiliation of such participant or member,
3 or on the basis of disability, if the participant or
4 member is a qualified individual with a disability.

5 “(2) DEFINITION.—As used in paragraph (1),
6 the term ‘qualified individual with a disability’ has
7 the meaning given the term in section 101(8) of the
8 Americans with Disabilities Act of 1990 (42 U.S.C.
9 12111(8)).

10 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
11 ance provided under this title shall constitute Federal fi-
12 nancial assistance for purposes of title VI of the Civil
13 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
14 of the Education Amendments of 1972 (20 U.S.C. 1681
15 et seq.), section 504 of the Rehabilitation Act of 1973 (29
16 U.S.C. 794), and the Age Discrimination Act of 1975 (42
17 U.S.C. 6101 et seq.).

18 “(c) RELIGIOUS DISCRIMINATION.—

19 “(1) IN GENERAL.—Except as provided in para-
20 graph (2), an individual with responsibility for the
21 operation of a project that receives assistance under
22 this title shall not discriminate on the basis of reli-
23 gion against a participant in such project or a mem-
24 ber of the staff of such project who is paid with
25 funds received under this title.

1 “(2) EXCEPTION.—Paragraph (1) shall not
2 apply to the employment, with assistance provided
3 under this title, of any member of the staff, of a
4 project that receives assistance under this title, who
5 was employed with the organization operating the
6 project on the date the grant under this title was
7 awarded.

8 “(d) RULES AND REGULATIONS.—The Chairperson
9 shall promulgate rules and regulations to provide for the
10 enforcement of this section that shall include provisions
11 for summary suspension of assistance for not more than
12 30 days, on an emergency basis, until notice and an oppor-
13 tunity to be heard can be provided.”.

14 SEC. 116. NOTICE, HEARING, AND GRIEVANCE PROCE-
15 DURES.

16 (a) DECERTIFICATION OF POSITIONS.—Section
17 176(a) of the National and Community Service Act of
18 1990 (42 U.S.C. 12636(a)) is amended—

19 (1) in paragraph (1), by inserting “, or revoke
20 the designation of positions, related to the grant or
21 contract, as approved national service positions,” be-
22 fore “whenever the Commission”; and

23 (2) in paragraph (2)(B), by inserting “or re-
24 voked” after “terminated”.

1 (b) CONSTRUCTION.—Section 176(e) of such Act (42
2 U.S.C. 12636(e)) is amended by adding before the period
3 the following “, other than assistance provided pursuant
4 to this Act”.

5 (c) GRIEVANCE PROCEDURE.—Section 176(f) of such
6 Act is amended to read as follows:

7 “(f) GRIEVANCE PROCEDURE.—

8 “(1) IN GENERAL.—A State or local applicant
9 that receives assistance under this title shall estab-
10 lish and maintain a procedure for the filing and ad-
11 judication of grievances from participants, labor or-
12 ganizations, and other interested individuals con-
13 cerning projects that receive assistance under this
14 title, including grievances regarding proposed place-
15 ments of such participants in such projects.

16 “(2) DEADLINE FOR GRIEVANCES.—Except for
17 a grievance that alleges fraud or criminal activity, a
18 grievance shall be made not later than 1 year after
19 the date of the alleged occurrence of the event that
20 is the subject of the grievance.

21 “(3) DEADLINE FOR HEARING AND DECI-
22 SION.—

23 “(A) HEARING.—A hearing on any griev-
24 ance conducted under this subsection shall be

1 conducted not later than 30 days after the fil-
2 ing of such grievance.

3 “(B) DECISION.—A decision on any such
4 grievance shall be made not later than 60 days
5 after the filing of such grievance.

6 “(4) ARBITRATION.—

7 “(A) IN GENERAL.—

8 “(i) JOINTLY SELECTED ARBITRA-
9 TOR.—In the event of a decision on a
10 grievance that is adverse to the party who
11 filed such grievance, or 60 days after the
12 filing of such grievance if no decision has
13 been reached, such party shall be per-
14 mitted to submit such grievance to binding
15 arbitration before a qualified arbitrator
16 who is jointly selected and independent of
17 the interested parties.

18 “(ii) APPOINTED ARBITRATOR.—If
19 the parties cannot agree on an arbitrator,
20 the Chairperson shall appoint an arbitrator
21 from a list of qualified arbitrators within
22 15 days after receiving a request for such
23 appointment from one of the parties to the
24 grievance.

1 “(B) DEADLINE FOR PROCEEDING.—An
2 arbitration proceeding shall be held not later
3 than 45 days after the request for such arbitra-
4 tion proceeding, or, if the arbitrator is ap-
5 pointed by the Chairperson in accordance with
6 subparagraph (A)(ii), not later than 30 days
7 after the appointment of such arbitrator.

8 “(C) DEADLINE FOR DECISION.—A deci-
9 sion concerning a grievance shall be made not
10 later than 30 days after the date such arbitra-
11 tion proceeding begins.

12 “(D) COST.—

13 “(i) IN GENERAL.—Except as pro-
14 vided in clause (ii), the cost of an arbitra-
15 tion proceeding shall be divided evenly be-
16 tween the parties to the arbitration.

17 “(ii) EXCEPTION.—If a participant,
18 labor organization, or other interested indi-
19 vidual described in paragraph (1) prevails
20 under a binding arbitration proceeding, the
21 State, local agency, public or private not-
22 for-profit organization, or partnership of
23 such agencies and organizations, that is a
24 party to such grievance shall pay the total
25 cost of such proceeding and the attorneys’

1 fees of such participant, labor organiza-
2 tion, or individual, as the case may be.

3 “(5) PROPOSED PLACEMENT.—If a grievance is
4 filed regarding a proposed placement of a partici-
5 pant in a project that receives assistance under this
6 title, such placement shall not be made unless the
7 placement is consistent with the resolution of the
8 grievance pursuant to this subsection.

9 “(6) REMEDIES.—Remedies for a grievance
10 filed under this subsection include—

11 “(A) suspension of payments for assistance
12 under this title;

13 “(B) termination of such payments;

14 “(C) prohibition of the placement described
15 in paragraph (5); and

16 “(D) in a case in which the grievance in-
17 volves a violation of subsection (a) or (b) of sec-
18 tion 177 and the employer of the displaced em-
19 ployee is the recipient of assistance under this
20 title—

21 “(i) reinstatement of the displaced
22 employee to the position held by such em-
23 ployee prior to displacement;

24 “(ii) payment of lost wages and bene-
25 fits of the displaced employee;

1 “(iii) reestablishment of other relevant
2 terms, conditions, and privileges of employ-
3 ment of the displaced employee; and

4 “(iv) such equitable relief as is nec-
5 essary to correct any violation of sub-
6 section (a) or (b) of section 177 or to
7 make the displaced employee whole.

8 “(7) ENFORCEMENT.—Suits to enforce arbitra-
9 tion awards under this section may be brought in
10 any district court of the United States having juris-
11 diction of the parties, without regard to the amount
12 in controversy and without regard to the citizenship
13 of the parties.”.

14 **SEC. 117. NONDISPLACEMENT.**

15 Section 177(b)(3) of the National and Community
16 Service Act of 1990 (42 U.S.C. 12637(b)(3)) is
17 amended—

18 (1) in subparagraph (B), to read as follows:

19 “(B) SUPPLANTATION OF HIRING.—A par-
20 ticipant in any program receiving assistance
21 under this title shall not perform any services
22 or duties, or engage in activities, that—

23 “(i) will supplant the hiring of em-
24 ployed workers; or

1 “(ii) are services, duties, or activities
2 with respect to which an individual has re-
3 call rights pursuant to a collective bargain-
4 ing agreement or applicable personnel pro-
5 cedures.”; and

6 (2) in subparagraph (C)(iii), to read as follows:

7 “(iii) employee who—

8 “(I) is subject to a reduction in
9 force; or

10 “(II) has recall rights pursuant
11 to a collective bargaining agreement
12 or applicable personnel procedures;”.

13 **SEC. 118. EVALUATION.**

14 Section 179 of the National and Community Service
15 Act of 1990 (42 U.S.C 12639) is amended—

16 (1) in subsection (a)—

17 (A) in the matter preceding paragraph (1),
18 by striking “this title” and inserting “the na-
19 tional service laws”; and

20 (B) in paragraph (2)—

21 (i) in the matter preceding
22 subpagraph (A), by striking “for purposes
23 of the reports required by subsection (j),”
24 and inserting “with respect to the pro-
25 grams authorized under subtitle C”; and

1 (ii) in subparagraph (A), by striking
2 “older American volunteer programs” and
3 inserting “National Senior Volunteer
4 Corps programs”;

5 (2) in subsection (g)—

6 (A) in the matter preceding paragraph (1),
7 by striking “subtitle D” and inserting “subtitle
8 C”; and

9 (B) in paragraphs (3) and (9), by striking
10 “older American volunteer programs” and in-
11 serting “National Senior Volunteer Corps pro-
12 grams”; and

13 (3) by striking subsections (i) and (j).

14 **SEC. 119. ENGAGEMENT OF PARTICIPANTS.**

15 Section 180 of the National and Community Service
16 Act of 1990 (42 U.S.C. 12640) is amended by striking
17 “post-service benefits” and inserting “national service
18 educational awards”.

19 **SEC. 120. CONTINGENT EXTENSION.**

20 (a) **IN GENERAL.**—Section 181 of the National and
21 Community Service Act of 1990 (42 U.S.C. 12641) is
22 amended to read as follows:

23 **“SEC. 181. CONTINGENT EXTENSION.**

24 “Section 414 of the General Education Provisions
25 Act (20 U.S.C. 1226a) shall apply to this Act.”.

1 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
2 tional and Community Service Act of 1990 (Public Law
3 101-610; 104 Stat. 3127) is amended by striking the item
4 relating to sections 181 of such Act and inserting the fol-
5 lowing:

“Sec. 181. Contingent extension.”.

6 **SEC. 121. REPEALS.**

7 (a) IN GENERAL.—Subtitle F of title I of the Na-
8 tional and Community Service Act of 1990 (42 U.S.C.
9 12631 et seq.) is amended—

10 (1) by repealing sections 183, 185, and 186;
11 and

12 (2) by redesignating section 184 as section 183.

13 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
14 tional and Community Service Act of 1990 (Public Law
15 101-610; 104 Stat. 3127) is amended by striking the
16 items relating to sections 183, 184, and 185 of such Act
17 and inserting the following:

“Sec. 183. Drug-free workplace requirements.”.

18 **TITLE II—ORGANIZATION**

19 **SEC. 201. STATE COMMISSIONS ON NATIONAL SERVICE.**

20 (a) COMPOSITION AND DUTIES OF STATE COMMIS-
21 SIONS.—Subtitle F of title I of the National and Commu-
22 nity Service Act of 1990 is amended by striking section
23 178 (42 U.S.C. 12638) and inserting the following new
24 section:

1 **"SEC. 178. STATE COMMISSIONS ON NATIONAL SERVICE.**

2 **"(a) EXISTENCE REQUIRED.—**

3 **"(1) STATE COMMISSION.—**Except as provided
4 in paragraph (2), to be eligible to receive a grant or
5 allotment under subtitle B or C or to receive a dis-
6 tribution of approved national service positions
7 under subtitle C, a State shall maintain a State
8 Commission on National Service that satisfies the
9 requirements of this section.

10 **"(2) ALTERNATIVE ADMINISTRATIVE ENTITY.—**

11 The chief executive officer of a State may apply to
12 the Corporation for approval to use an alternative
13 administrative entity to carry out the duties other-
14 wise entrusted to a State Commission under this
15 Act. The chief executive officer shall ensure that any
16 alternative administrative entity used in lieu of a
17 State Commission still provides for the individuals
18 described in paragraphs (1) and (2) of subsection (c)
19 to play a significant policy-making role in carrying
20 out the duties otherwise entrusted to a State Com-
21 mission, including the submission of applications on
22 behalf of the State under sections 117B and 130.

23 **"(b) APPOINTMENT AND SIZE.—**Except as provided
24 in subsection (c)(3), the members of a State Commission
25 for a State shall be appointed by the chief executive officer

1 of the State. A State Commission shall consist of not less
2 than 15 voting members.

3 “(c) COMPOSITION AND MEMBERSHIP.—

4 “(1) REQUIRED MEMBERS.—The State Com-
5 mission for a State shall include as voting members
6 at least one of each of the following individuals:

7 “(A) An individual with expertise in the
8 educational, training, and development needs of
9 youth, particularly disadvantaged youth.

10 “(B) An individual with experience in pro-
11 moting the involvement of older Americans in
12 service and voluntarism.

13 “(C) A representative of community action
14 agencies and community-based organizations
15 within the State, particularly those agencies
16 and organizations that—

17 “(i) are located in areas of the State
18 with high rates of poverty;

19 “(ii) provide a comprehensive range of
20 services to economically disadvantaged in-
21 dividuals and families;

22 “(iii) have a demonstrated record of
23 effectiveness; and

1 “(iv) are governed by a board com-
2 posed in significant part of economically
3 disadvantaged individuals.

4 “(D) A youth who is or has been a partici-
5 pant in a service program.

6 “(E) An individual with expertise in the
7 delivery of human, educational, environmental,
8 or public safety services to communities and
9 persons.

10 “(F) The head of the State educational
11 agency.

12 “(G) A representative of local governments
13 in the State.

14 “(H) A representative of local labor orga-
15 nizations in the State.

16 “(2) ADDITIONAL MEMBERS.—The State Com-
17 mission for a State may also include as voting mem-
18 bers the following individuals:

19 “(A) Representatives of entities which re-
20 ceive assistance under the Domestic Volunteer
21 Service Act of 1973 (42 U.S.C. 4950 et seq.).

22 “(B) Representatives of business.

23 “(C) Educators.

1 “(D) Individuals who are recognized for
2 their outstanding contributions as volunteers in
3 service to their community, State, and Nation.

4 “(3) CORPORATION REPRESENTATIVE.—The
5 representative of the Corporation designated under
6 section 195(b) for a State shall be a voting member
7 of the State Commission for that State.

8 “(4) EX OFFICIO STATE REPRESENTATIVES.—
9 The chief executive officer of a State may appoint as
10 nonvoting ex officio members of the State Commis-
11 sion for the State representatives selected from
12 among officers and employees of State agencies op-
13 erating community service, youth service, education,
14 social service, senior service, and job training pro-
15 grams.

16 “(5) LIMITATION ON NUMBER OF STATE EM-
17 PLOYEES AS MEMBERS.—The number of voting
18 members of a State Commission selected under
19 paragraph (1) or (2) who are officers or employees
20 of the State may not exceed 25 percent (reduced to
21 the nearest whole number) of the total membership
22 of the State Commission.

23 “(d) MISCELLANEOUS MATTERS.—

24 “(1) MEMBERSHIP BALANCE.—The chief execu-
25 tive officer of a State shall ensure that the mem-

1 bership of the State Commission for the State is bal-
2 anced according to race, ethnic background, age,
3 and gender. Not more than 50 percent of the voting
4 members of a State Commission, plus 1 additional
5 member, may be from the same political party.

6 “(2) TERMS.—Each member of the State Com-
7 mission for a State shall serve for a term of 3 years,
8 except that the chief executive officer of a State
9 shall initially appoint a portion of the members to
10 terms of 1 year and 2 years.

11 “(3) VACANCIES.—As vacancies occur on a
12 State Commission, new members shall be appointed
13 by the chief executive of the State and serve for the
14 remainder of the term for which the predecessor of
15 such member was appointed. The vacancy shall not
16 affect the power of the remaining members to exe-
17 cute the duties of the State Commission.

18 “(4) COMPENSATION.—A member of a State
19 Commission shall not receive any additional com-
20 pensation by reason of service on the State Commis-
21 sion, except that the State may authorize the reim-
22 bursement of travel expenses, including a per diem
23 in lieu of subsistence, in the same manner as other
24 employees serving intermittently in the service of the
25 State.

1 “(5) CHAIRPERSON.—The voting members of a
2 State Commission shall elect one of the voting mem-
3 bers to serve as chairperson of the State Commis-
4 sion.

5 “(e) DUTIES OF A STATE COMMISSION.—The State
6 Commission for a State shall be responsible for the fol-
7 lowing duties:

8 “(1) Preparation of a national service plan for
9 the State that—

10 “(A) is developed through an open and
11 public process (such as through regional fo-
12 rums, hearings, and other means) that provides
13 for maximum participation and input from ex-
14 isting national service programs within the
15 State and other interested members of the pub-
16 lic;

17 “(B) covers a 3-year period;

18 “(C) is updated annually; and

19 “(D) contains such information as the
20 State Commission considers to be appropriate
21 or as the Corporation may require.

22 “(2) Preparation of the applications of the
23 State under sections 117B and 130 for financial as-
24 sistance.

1 “(3) Assistance in the preparation of the appli-
2 cation of the State educational agency for assistance
3 under section 113.

4 “(4) Preparation of the application of the State
5 under section 130 for the approval of service posi-
6 tions that include the national service educational
7 award described in subtitle D.

8 “(5) Make recommendations to the Corporation
9 with respect to priorities for programs receiving as-
10 sistance under the Domestic Volunteer Service Act
11 of 1973 and the effectiveness of the operation and
12 management of such programs within the State;

13 “(6) Make technical assistance available to en-
14 able applicants under the national service laws—

15 “(A) to plan and implement service pro-
16 grams; and

17 “(B) to apply for assistance under the na-
18 tional service laws using, if appropriate, infor-
19 mation and materials available through a clear-
20 inghouse established under section 198A.

21 “(7) Assistance in the provision of health care
22 and child care benefits under section 140 to partici-
23 pants in national service programs that receive as-
24 sistance under section 121.

1 “(8) Development of a State system for the re-
2 cruitment and placement of participants in national
3 service programs that receive assistance under sec-
4 tion 121 and dissemination of information concern-
5 ing national service programs that receive assistance
6 and approved national service positions.

7 “(9) Administration of the grant program in
8 support of national service programs that is con-
9 ducted by the State using assistance provided to the
10 State under section 121, including selection, over-
11 sight, and evaluation of grant recipients.

12 “(10) Development of projects, training meth-
13 ods, curriculum materials, and other materials and
14 activities related to national service programs that
15 receive assistance from the State using assistance
16 provided under section 121.

17 “(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A
18 State Commission may not directly carry out any national
19 service program that receives assistance under section
20 121.

21 “(g) DELEGATION.—Subject to such requirements as
22 the Corporation may prescribe, a State Commission may
23 delegate nonpolicymaking duties to a State agency or pub-
24 lic or private not-for-profit organization.

1 “(h) APPROVAL OF STATE COMMISSION OR ALTER-
2 NATIVE.—

3 “(1) SUBMISSION TO CORPORATION.—The chief
4 executive officer for a State shall notify the Cor-
5 poration of the establishment or designation of the
6 State Commission for the State. The notification
7 shall include a description of—

8 “(A) the composition and membership of
9 the State Commission; and

10 “(B) the authority of the State Commis-
11 sion regarding national service activities carried
12 out by the State.

13 “(2) APPROVAL OF ALTERNATIVE ADMINISTRA-
14 TIVE ENTITY.—Any use of an alternative adminis-
15 trative entity to carry out the duties of a State Com-
16 mission shall be subject to the approval of the Cor-
17 poration.

18 “(3) REJECTION.—The Corporation may reject
19 a State Commission if the Corporation determines
20 that the composition, membership, or duties of the
21 State Commission do not comply with the require-
22 ments of this section. The Corporation shall reject a
23 request to use an alternative administrative entity in
24 lieu of a State Commission if the Corporation deter-
25 mines that use of the alternative administrative en-

1 tity does not allow the individuals described in para-
2 graphs (1) and (2) of subsection (c) to play a sig-
3 nificant policy-making role in carrying out the duties
4 otherwise entrusted to a State Commission. If the
5 Corporation rejects a State Commission or alter-
6 native administrative entity under this paragraph,
7 the Corporation shall promptly notify the State of
8 the reasons for the rejection.

9 “(4) RESUBMISSION AND RECONSIDERATION.—
10 The Corporation shall provide a State notified under
11 paragraph (3) with a reasonable opportunity to re-
12 vise the rejected State Commission or alternative ad-
13 ministrative entity. At the request of the State, the
14 Corporation shall provide technical assistance to the
15 State as part of the revision process. The Cor-
16 poration shall promptly reconsider any resubmission
17 of a notification under paragraph (1) or application
18 to use an alternative administrative entity under
19 paragraph (2).

20 “(5) SUBSEQUENT CHANGES.—This subsection
21 shall also apply to any change in the composition or
22 duties of a State Commission or an alternative ad-
23 ministrative entity made after approval of the State
24 Commission or the alternative administrative en-
25 tity.”.

1 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
2 tional and Community Service Act of 1990 (Public Law
3 101–610; 104 Stat. 3127) is amended by striking the item
4 relating to section 178 and inserting the following new
5 item:

“Sec. 178. State Commissions on National Service.”.

6 (c) EFFECTIVE DATE.—The amendments made by
7 this section shall take effect on the date of the enactment
8 of this Act.

9 (d) TRANSITIONAL PROVISIONS.—

10 (1) USE OF ALTERNATIVES TO STATE COMMIS-
11 SION.—If a State does not have a State Commission
12 on National Service that satisfies the requirements
13 specified in section 178 of the National and Commu-
14 nity Services Act of 1990, as amended by subsection
15 (a), the Corporation for National Service may au-
16 thorize the chief executive of the State to use an ex-
17 isting agency of the State to perform the duties oth-
18 erwise reserved to a State Commission under sub-
19 section (e) of such section.

20 (2) APPLICATION OF SUBSECTION.—This sub-
21 section shall apply only during the 18-month period
22 beginning on the date of the enactment of this Act.

1 SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION
2 FOR NATIONAL SERVICE AND ACTION AGEN-
3 CY.

4 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
5 1990.—Subtitle G of title I of the National and Commu-
6 nity Service Act of 1990 (42 U.S.C. 12651) is amended
7 to read as follows:

8 **“Subtitle G—Corporation for**
9 **National Service**

10 **“SEC. 191. CORPORATION FOR NATIONAL SERVICE.**

11 “There is established a Corporation for National
12 Service that shall administer the programs established
13 under this Act. The Corporation shall be a Government
14 corporation, as defined in section 103 of title 5, United
15 States Code.

16 **“SEC. 192. BOARD OF DIRECTORS.**

17 “(a) COMPOSITION.—

18 “(1) IN GENERAL.—There shall be in the Cor-
19 poration a Board of Directors (referred to in this
20 subtitle as the ‘Board’) that shall be composed of—

21 “(A) not less than 15 members, including
22 the Chairperson appointed under section 193,
23 to be appointed by the President, by and with
24 the advice and consent of the Senate; and

25 “(B) the ex officio members described in
26 paragraph (4).

1 “(2) QUALIFICATIONS.—To the maximum ex-
2 tent practicable, the President shall appoint
3 members—

4 “(A) who have extensive experience in vol-
5 unteer and service programs, including pro-
6 grams funded under one of the national service
7 laws, and in State government;

8 “(B) who represent a broad range of view-
9 points;

10 “(C) who are experts in the delivery of
11 human, educational, environmental, or public
12 safety services;

13 “(D) so that the Board shall be diverse ac-
14 cording to race, ethnicity, age, and gender; and

15 “(E) so that no more than 50 percent of
16 the appointed members of the Board, plus 1 ad-
17 ditional appointed member, are from a single
18 political party.

19 “(3) EX OFFICIO MEMBERS.—The Secretary of
20 Education, the Secretary of Health and Human
21 Services, the Secretary of Labor, the Secretary of
22 the Interior, the Secretary of Agriculture, the Sec-
23 retary of Housing and Urban Development, the Sec-
24 retary of Defense, the Attorney General, the Direc-
25 tor of the Peace Corps, and the Administrator of the

1 Environmental Protection Agency shall serve as ex
2 officio nonvoting members of the Board.

3 “(b) TERMS.—Each appointed member of the Board
4 shall serve for a term of 5 years, except that, as designated
5 by the President—

6 “(1) 3 of the members first appointed to the
7 Board shall serve for a term of 1 year;

8 “(2) 3 of the members first appointed to the
9 Board shall serve for a term of 2 years;

10 “(3) 3 of the members first appointed to the
11 Board shall serve for a term of 3 years;

12 “(4) 3 of the members first appointed to the
13 Board shall serve for a term of 4 years; and

14 “(5) the remainder of the members first ap-
15 pointed to the Board shall serve for a term of 5
16 years.

17 “(c) VACANCIES.—As vacancies occur on the Board,
18 new members shall be appointed by the President, by and
19 with the advice and consent of the Senate, and serve for
20 the remainder of the term for which the predecessor of
21 such member was appointed. The vacancy shall not affect
22 the power of the remaining members to execute the duties
23 of the Board.

1 **"SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF**
2 **DIRECTORS.**

3 “(a) MEETINGS.—The Board shall meet not less than
4 3 times each year. The Board shall hold additional meet-
5 ings at the call of the Chairperson or if a majority of the
6 members of the Board request such meetings in writing.
7 In addition, the Board (or designated members of the
8 Board) shall conduct periodic public hearings throughout
9 the United States to examine and review operation of the
10 national service laws.

11 “(b) QUORUM.—A majority of the appointed mem-
12 bers of the Board shall constitute a quorum.

13 “(c) OFFICERS.—

14 “(1) VICE CHAIRPERSON.—The Board shall
15 elect a Vice Chairperson from among its mem-
16 bership. The Vice Chairperson may conduct meet-
17 ings of the Board in the absence of the Chairperson.

18 “(2) OTHER OFFICERS.—The Board may elect
19 from among its membership such additional officers
20 of the Board as the Board determines to be appro-
21 priate.

22 “(d) INSPECTOR GENERAL OVERSIGHT COMMIT-
23 TEE.—The Board shall establish an Inspector General
24 oversight committee (referred to in this subtitle as the
25 ‘oversight committee’). Such committee shall be comprised
26 of the Vice Chairperson and two members selected by the

1 Vice Chairperson. The Chairperson shall not serve on the
2 oversight committee.

3 “(e) EXPENSES.—While away from their homes or
4 regular places of business on the business of the Board,
5 members of such Board shall be allowed travel expenses,
6 including per diem in lieu of subsistence, at rates author-
7 ized for employees of agencies under subchapter I of chap-
8 ter 57 of title 5, United States Code, for persons employed
9 intermittently in the Government service.

10 “(f) SPECIAL GOVERNMENT EMPLOYEES.—For pur-
11 poses of the provisions of chapter 11 of part I of title 18,
12 United States Code, and any other provision of Federal
13 law, a member of the Board (to whom such provisions
14 would not otherwise apply except for this subsection) shall
15 be a special Government employee.

16 “(g) STATUS OF MEMBERS.—

17 “(1) TORT CLAIMS.—For the purposes of the
18 tort claims provisions of chapter 171 of title 28,
19 United States Code, a member of the Board shall be
20 considered to be a Federal employee.

21 “(2) OTHER CLAIMS.—A member of the Board
22 has no personal liability under Federal law with re-
23 spect to any claim arising out of or resulting from
24 any act or omission by such person, within the scope
25 of the service of the member on the Board, in con-

1 nection with any transaction involving the provision
2 of financial assistance by the Corporation. This
3 paragraph shall not be construed to limit personal li-
4 ability for criminal acts or omissions, willful or mali-
5 cious misconduct, acts or omissions for private gain,
6 or any other act or omission outside the scope of the
7 service of such member on the Board.

8 “(3) EFFECT ON OTHER LAW.—This subsection
9 shall not be construed—

10 “(A) to affect any other immunities and
11 protections that may be available to such mem-
12 ber under applicable law with respect to such
13 transactions;

14 “(B) to affect any other right or remedy
15 against the Corporation, against the United
16 States under applicable law, or against any per-
17 son other than a member of the Board partici-
18 pating in such transactions; or

19 “(C) to limit or alter in any way the im-
20 munities that are available under applicable law
21 for Federal officials and employees not de-
22 scribed in this subsection.

23 “(h) DUTIES.—The Board shall—

24 “(1) prepare a strategic plan every 3 years, and
25 annual updates of the plan, for the Corporation with

1 respect to the grants, allotments, contracts, assist-
2 ance, and payments made by the Corporation, and
3 with respect to such standards, policies, procedures,
4 programs, and initiatives as are necessary or appro-
5 priate to carry out this Act;

6 “(2) make recommendations with respect to the
7 regulations established under section
8 195(a)(3)(B)(i);

9 “(3)(A) review the actions of the Chairperson
10 with respect to—

11 “(i) grants, allotments, contracts, assist-
12 ance, and payments made by the Corporation;

13 “(ii) the personnel of the Corporation; and

14 “(iii) the standards, policies, procedures,
15 programs, and initiatives of the Corporation;
16 and

17 “(B) inform the Chairperson of any aspects of
18 the actions of the Chairperson that are not in com-
19 pliance with the annual strategic plan described in
20 paragraph (1) or the recommendations described in
21 paragraph (2), or are not consistent with the objec-
22 tives of this Act;

23 “(4) receive reports issued by the Inspector
24 General of the Corporation and review actions taken
25 by the Chairperson with respect to such reports;

1 “(5) review the evaluation of programs estab-
2 lished under this Act, in accordance with section
3 179;

4 “(6) make recommendations for research with
5 respect to national and community service programs,
6 including service-learning programs;

7 “(7) advise the President and the Congress con-
8 cerning developments in national and community
9 service that merit the attention of the President and
10 the Congress;

11 “(8) disseminate information regarding the pro-
12 grams and initiatives of the Corporation; and

13 “(9) carry out any other activities determined
14 to be appropriate by the Chairperson.

15 **“SEC. 193. CHAIRPERSON AND DIRECTOR.**

16 “(a) APPOINTMENT.—The Corporation shall be head-
17 ed by an individual who shall serve as Chairperson of the
18 Board and as Director of the Corporation, and who shall
19 be appointed by the President, by and with the advice and
20 consent of the Senate.

21 “(b) COMPENSATION.—The Chairperson shall be
22 compensated at the rate provided for level III of the Exec-
23 utive Schedule under section 5314 of title 5, United States
24 Code.

1 “(c) REGULATIONS.—The Chairperson shall pre-
2 scribe such rules and regulations as are necessary or ap-
3 propriate to carry out this Act.

4 **“SEC. 193A. AUTHORITIES AND DUTIES OF THE CHAIR-**
5 **PERSON.**

6 “(a) GENERAL POWERS AND DUTIES.—The Chair-
7 person shall be responsible for the exercise of the powers
8 and the discharge of the duties of the Corporation that
9 are not reserved to the Board, and shall have authority
10 and control over all personnel of the Corporation.

11 “(b) DUTIES.—In addition to the duties conferred on
12 the Chairperson under any other provision of this Act, the
13 Chairperson shall—

14 “(1) submit a proposal to the Board regarding,
15 and establish, such standards, policies, and proce-
16 dures, as are necessary or appropriate to carry out
17 this Act;

18 “(2) establish and administer such programs
19 and initiatives as the Chairperson, acting on the rec-
20 ommendation of the Board, may determine to be
21 necessary or appropriate to carry out this Act;

22 “(3) consult with appropriate Federal agencies
23 in administering such programs and initiatives;

24 “(4) on the recommendation of the Board, sus-
25 pend or terminate payments and positions provided

1 pursuant to the national service laws, in accordance
2 with section 176;

3 “(5) prepare and submit to the Board an an-
4 nual report, and such interim reports as may be nec-
5 essary, describing the major actions of the Chair-
6 person with respect to the personnel of the Cor-
7 poration, and with respect to such standards, poli-
8 cies, procedures, programs, and initiatives;

9 “(6) notify, and provide an explanation to, the
10 Board regarding any substantial differences between
11 the actions of the Chairperson and the strategic plan
12 described in section 192A(h)(2); and

13 “(7) prepare and submit to the appropriate
14 committees of Congress an annual report, and such
15 interim reports as may be necessary, describing—

16 “(A) the services referred to in paragraph
17 (1), and the money and property referred to in
18 paragraph (2), of section 196(a) that have been
19 accepted by the Corporation; and

20 “(B) the manner in which the Corporation
21 used or disposed of such services, money, and
22 property.

23 “(c) POWERS.—In addition to the authority conferred
24 on the Chairperson under any other provision of this Act,
25 the Chairperson may—

1 “(1) establish, alter, consolidate, or discontinue
2 such organizational units or components within the
3 Corporation as the Chairperson considers necessary
4 or appropriate;

5 “(2) with the approval of the President—

6 “(A) arrange with and reimburse the heads
7 of other Federal agencies for the performance
8 of any of the provisions of this Act; and

9 “(B) as necessary or appropriate—

10 “(i) delegate any of the functions of
11 the Chairperson under this Act, or, with
12 the permission of the Board, any of the
13 functions of the Board under this Act, to
14 such heads of Federal agencies; and

15 “(ii) authorize the redelegation of
16 such functions,

17 subject to provisions to assure the maximum
18 possible liaison between the Corporation and
19 such other agencies at all operating levels;

20 “(3) with their consent, utilize the services and
21 facilities of Federal agencies with or without reim-
22 bursement, and, with the consent of any State, or
23 political subdivision of a State, accept and utilize the
24 services and facilities of the agencies of such State
25 or subdivisions without reimbursement;

1 “(4) allocate and expend, or transfer to other
2 Federal agencies for expenditure, funds made avail-
3 able under this Act, including expenditure for con-
4 struction, repairs, and capital improvements;

5 “(5) disseminate, without regard to the provi-
6 sions of section 3204 of title 39, United States
7 Code, data and information, in such form as the
8 Chairperson shall determine to be appropriate to
9 public agencies, private organizations, and the gen-
0 eral public;

1 “(6) collect or compromise all obligations to or
2 held by the Chairperson and all legal or equitable
3 rights accruing to the Chairperson in connection
4 with the payment of obligations in accordance with
5 chapter 37 of title 31, United States Code (com-
6 monly known as the ‘Federal Claims Collection Act
7 of 1966’);

8 “(7) expend funds made available for purposes
9 of this Act, without regard to any other law or regu-
0 lation, for rent of buildings and space in buildings
1 and for repair, alteration, and improvement of build-
2 ings and space in buildings rented by the Chair-
3 person;

4 “(8) file a civil action in any court of record of
5 a State having general jurisdiction or in any district

1 court of the United States, with respect to a claim
2 arising under this Act;

3 “(9) exercise the authorities of the Corporation
4 under section 196; and

5 “(10) generally perform such functions and
6 take such steps consistent with the objectives and
7 provisions of this Act, as the Chairperson determines
8 to be necessary or appropriate to carry out such pro-
9 visions.

10 “(d) DELEGATION.—

11 “(1) DEFINITION.—As used in this subsection,
12 the term ‘function’ means any duty, obligation,
13 power, authority, responsibility, right, privilege, ac-
14 tivity, or program.

15 “(2) IN GENERAL.—Except as otherwise pro-
16 hibited by law or provided in this Act, the Chair-
17 person may delegate any function under this Act,
18 and authorize such successive redelegations of such
19 function as may be necessary or appropriate. No del-
20 egation of a function by the Chairperson under this
21 subsection or under any other provision of this Act
22 shall relieve such Chairperson of responsibility for
23 the administration of such function.

1 “(3) FUNCTION OF BOARD.—The Chairperson
2 may not delegate a function of the Board without
3 the permission of the Board.

4 “(e) ACTIONS.—In an action described in subsection
5 (c)(8)—

6 “(1) a district court referred to in such sub-
7 section shall have jurisdiction of such a civil action
8 without regard to the amount in controversy;

9 “(2) such an action brought by the Chairperson
10 shall survive notwithstanding any change in the per-
11 son occupying the office of Chairperson or any va-
12 cancy in that office;

13 “(3) no attachment, injunction, garnishment, or
14 other similar process, mesne or final, shall be issued
15 against the Chairperson or the Board or property
16 under the control of the Chairperson or the Board;
17 and

18 “(4) nothing in this section shall be construed
19 to except litigation arising out of activities under
20 this Act from the application of sections 509, 517,
21 547, and 2679 of title 28, United States Code.

22 **“SEC. 194. OFFICERS.**

23 “(a) MANAGING DIRECTORS.—

24 “(1) IN GENERAL.—There shall be in the Cor-
25 poration 2 Managing Directors, who shall be ap-

1 pointed by the President, by and with the advice and
2 consent of the Senate.

3 “(2) COMPENSATION.—The Managing Direc-
4 tors shall be compensated at the rate provided for
5 level IV of the Executive Schedule under section
6 5315 of title 5, United States Code.

7 “(3) DUTIES.—

8 “(A) FEDERAL PROGRAMS.—One of the
9 Managing Directors shall be primarily respon-
10 sible for the Federal programs carried out by
11 the Corporation.

12 “(B) INVESTMENT PROGRAMS.—The other
13 Managing Director shall be primarily respon-
14 sible for the financial assistance programs car-
15 ried out by the Corporation.

16 “(b) INSPECTOR GENERAL.—There shall be in the
17 Corporation an Office of Inspector General as provided in
18 section 8E(a)(2) of the Inspector General Act of 1978 (5
19 U.S.C. App.).

20 “(c) CHIEF FINANCIAL OFFICER.—

21 “(1) OFFICE.—There shall be in the Cor-
22 poration a Chief Financial Officer, who shall be ap-
23 pointed by the President, by and with the advice and
24 consent of the Senate.

1 “(2) COMPENSATION.—The Chief Financial Of-
2 ficer shall be compensated at the rate provided for
3 level IV of the Executive Schedule under section
4 5315 of title 5, United States Code.

5 “(3) DUTIES.—The Chief Financial Officer
6 shall—

7 “(A) report directly to the Chairperson re-
8 garding financial management matters;

9 “(B) oversee all financial management ac-
10 tivities relating to the programs and operations
11 of the Corporation;

12 “(C) develop and maintain an integrated
13 accounting and financial management system
14 for the Corporation, including financial report-
15 ing and internal controls;

16 “(D) develop and maintain any joint finan-
17 cial management systems with the Department
18 of Education necessary to carry out the pro-
19 grams of the Corporation; and

20 “(E) direct, manage, and provide policy
21 guidance and oversight of the financial manage-
22 ment personnel, activities, and operations of the
23 Corporation.

1 "SEC. 194A. CORPORATION STATE OFFICES.

2 "(a) IN GENERAL.—The Chairperson shall establish
3 and maintain a decentralized field structure which pro-
4 vides for an office of the Corporation for each State which
5 is located in or in reasonable proximity of each such State.
6 Each State office shall be directed by the State Cor-
7 poration representative designated under section
8 195(b)(1).

9 "(b) DUTIES.—Each State office established pursu-
10 ant to subsection (a) shall—

11 "(1) provide to the State Commissions estab-
12 lished under section 178 technical and other assist-
13 ance for the development and implementation of
14 State service plans;

15 "(2) provide to community-based agencies and
16 other entities within the State technical assistance
17 for the preparation of applications for assistance
18 under the national service laws, utilizing, as appro-
19 priate, information and materials provided by the
20 clearinghouses established pursuant to section 198A;

21 "(3) provide to the State Commission and other
22 entities within the State support and technical as-
23 sistance necessary to assure that there is an effective
24 system of recruitment and placement of volunteers
25 within the State;

1 “(4) monitor the performance of all programs
2 and projects within the State which receive assist-
3 ance under the national service laws; and

4 “(5) perform such other duties and functions
5 which may be assigned or delegated by the Chair-
6 person.

7 **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER-**
8 **SONNEL**

9 “(a) EMPLOYEES.—

10 “(1) IN GENERAL.—The Chairperson shall ap-
11 point, in accordance with applicable provisions of
12 title 5, United States Code, such employees as the
13 Chairperson determines to be necessary to carry out
14 the duties of the Corporation.

15 “(2) ASSISTANT DIRECTORS FOR VISTA AND
16 NATIONAL SENIOR VOLUNTEER CORPS.—

17 “(A) APPOINTMENT.—The Managing Di-
18 rector primarily responsible for the Federal pro-
19 grams carried out by the Corporation (ap-
20 pointed pursuant to section 194(a)) shall ap-
21 point 2 Assistant Directors, of which—

22 “(i) 1 Assistant Director shall be pri-
23 marily responsible for part A of title I of
24 the Domestic Volunteer Service Act of
25 1973 (the Volunteers in Service to America

1 (VISTA) program) and other antipoverty
2 programs under title I of that Act; and

3 “(ii) 1 Assistant Director shall be pri-
4 marily responsible for the National Senior
5 Volunteer Corps under title II of that Act.

6 “(B) EFFECTIVE DATE FOR EXERCISE OF
7 AUTHORITY.—Each Assistant Director ap-
8 pointed pursuant to subparagraph (A) may ex-
9 ercise the authority assigned to each such Di-
10 rector only after the effective date of section
11 203(b) of the National Service Trust Act of
12 1993.

13 “(b) CORPORATION REPRESENTATIVE IN EACH
14 STATE.—

15 “(1) DESIGNATION OF REPRESENTATIVE.—The
16 Chairperson shall designate an employee of the Cor-
17 poration to serve as the representative of the Cor-
18 poration for each State or group of States to assist
19 the Corporation in carrying out the activities de-
20 scribed in this Act in the State or States.

21 “(2) DUTIES.—The representative appointed
22 under this subsection for a State or group of States
23 shall serve as the liaison between—

1 “(A) the Corporation and the State Com-
2 mission that is established in the State or
3 States; and

4 “(B) the Corporation and any subdivision
5 of a State, Indian tribe, public or private non-
6 profit organization, or institution of higher edu-
7 cation, in the State or States, that is awarded
8 a grant under section 121 directly from the
9 Corporation.

10 “(3) MEMBER OF STATE COMMISSION.—The
11 representative appointed under this subsection for a
12 State or group of States shall also serve as a voting
13 member of the State Commission established in the
14 State or States.

15 “(c) CONSULTANTS.—The Chairperson may procure
16 the temporary and intermittent services of experts and
17 consultants and compensate such experts and consultants
18 in accordance with section 3109(b) of title 5, United
19 States Code.

20 “(d) DETAILS OF PERSONNEL.—The head of any
21 Federal department or agency may detail on a reimburs-
22 able basis, or on a nonreimbursable basis for not to exceed
23 180 calendar days during any fiscal year, as agreed upon
24 by the Chairperson and the head of the Federal agency,
25 any of the personnel of that department or agency to the

1 Corporation to assist the Corporation in carrying out the
2 duties of the Corporation under this Act. Any detail shall
3 not interrupt or otherwise affect the civil service status
4 or privileges of the Federal employee.

5 “(e) ADVISORY COMMITTEES.—

6 “(1) ESTABLISHMENT.—The Chairperson, act-
7 ing upon the recommendation of the Board, may es-
8 tablish advisory committees in the Corporation to
9 advise the Board with respect to national service is-
10 sues, such as the type of programs to be established
11 or assisted under the national service laws, priorities
12 and criteria for such programs, and methods of con-
13 ducting outreach for, and evaluation of, such pro-
14 grams.

15 “(2) COMPOSITION.—Such an advisory commit-
16 tee shall be composed of members appointed by the
17 Chairperson, with such qualifications as the Chair-
18 person may specify.

19 “(3) EXPENSES.—Members of such an advisory
20 committee may be allowed travel expenses as de-
21 scribed in section 192A(e).

22 “(4) STAFF.—The Chairperson is authorized to
23 appoint and fix the compensation of such staff as
24 the Chairperson determines to be necessary to carry
25 out the functions of the advisory committee, without

1 regard to the provisions of title 5, United States
2 Code, governing appointments in the competitive
3 service, and without regard to the provisions of
4 chapter 51 and subchapter III of chapter 53 of such
5 title relating to classification and General Schedule
6 pay rates. Such compensation shall not exceed the
7 maximum rate of basic pay payable for GS-15 of
8 the General Schedule under section 5332 of title 5,
9 United States Code.

10 **"SEC. 196. ADMINISTRATION**

11 **"(a) DONATIONS.—**

12 **"(1) SERVICES.—**

13 **"(A) VOLUNTEERS.—**Notwithstanding sec-
14 tion 1342 of title 31, United States Code, the
15 Corporation may solicit and accept the vol-
16 untary services of individuals to assist the Cor-
17 poration in carrying out the duties of the Cor-
18 poration under this Act, and may provide to
19 such individuals the travel expenses described in
20 section 192A(e).

21 **"(B) LIMITATION.—**Such a volunteer shall
22 not be considered to be a Federal employee and
23 shall not be subject to the provisions of law re-
24 lating to Federal employment, including those
25 relating to hours of work, rates of com-

1 pensation, leave, unemployment compensation,
2 and Federal employee benefits, except that—

3 “(i) for the purposes of the tort
4 claims provisions of chapter 171 of title
5 28, United States Code, a volunteer under
6 this subtitle shall be considered to be a
7 Federal employee; and

8 “(ii) for the purposes of subchapter I
9 of chapter 81 of title 5, United States
10 Code, relating to compensation to Federal
11 employees for work injuries, volunteers
12 under this subtitle shall be considered to
13 be employees, as defined in section
14 8101(1)(B) of title 5, United States Code,
15 and the provisions of such subchapter shall
16 apply.

17 “(C) VOLUNTEER DEFINED.—For pur-
18 poses of this paragraph, the term ‘volunteer’
19 does not include a participant.

20 “(2) PROPERTY.—

21 “(A) SOLICITATION AND ACCEPTANCE AU-
22 THORIZED.—The Corporation may solicit, ac-
23 cept, hold, administer, use, and dispose of, in
24 furtherance of the purposes of this act, dona-
25 tions of any money or property, real, personal,

1 or mixed, tangible or intangible, received by
2 gift, devise, bequest, or otherwise. Donations
3 accepted under this subparagraph shall be used
4 as nearly as possibly in accordance with the
5 terms, if any, of such donation.

6 “(B) TAX TREATMENT.—For purposes of
7 Federal income, estate, and gift taxes, any do-
8 nation accepted under subparagraph (A) shall
9 be considered to be a gift, devise, or bequest to,
10 or for the use of, the United States.

11 “(C) RULES.—The Corporation shall es-
12 tablish written rules to ensure that the sollicita-
13 tion, acceptance, holding, administration, and
14 use of donations described in subparagraph
15 (A)—

16 “(i) will not reflect unfavorably upon
17 the ability of the Corporation, or of any of-
18 ficer or employee of the Corporation, to
19 carry out the responsibilities or official du-
20 ties of the Corporation in a fair and objec-
21 tive manner; and

22 “(ii) will not compromise the integrity
23 of the programs of the Corporation or any
24 official or employee of the Corporation in-
25 volved in such programs.

1 “(D) DISPOSITION.—Upon completion of
2 the use by the Corporation of any donation ac-
3 cepted pursuant to subparagraph (A) (other
4 than money or monetary proceeds from sales of
5 property accepted), such completion shall be re-
6 ported to the General Services Administration
7 and such property shall be disposed of in ac-
8 cordance with title II of the Federal Property
9 and Administrative Services Act of 1949 (40
10 U.S.C. 481 et seq.).

11 “(b) CONTRACTS.—Subject to the Federal Property
12 and Administrative Services Act of 1949, the Corporation
13 may enter into contracts, and cooperative and interagency
14 agreements, with Federal and State agencies, private
15 firms, institutions, and individuals to conduct activities
16 necessary to carry out the duties of the Corporation under
17 this Act.”.

18 (b) DOMESTIC VOLUNTEER SERVICE ACT OF
19 1973.—Section 401 of the Domestic Volunteer Service Act
20 of 1973 (42 U.S.C. 5041) is amended by inserting after
21 the second sentence the following: “The Director shall re-
22 port directly to the Chairperson of the Corporation for Na-
23 tional Service.”.

24 (c) TRANSFER OF FUNCTIONS OF COMMISSION ON
25 NATIONAL AND COMMUNITY SERVICE.—

1 (1) DEFINITIONS.—For purposes of this sub-
2 section, unless otherwise provided or indicated by
3 the context, each term specified in section 203(c)(1)
4 shall have the meaning given the term in such sec-
5 tion.

6 (2) TRANSFER OF FUNCTIONS.—There are
7 transferred to the Corporation the functions that the
8 Board of Directors or Executive Director of the
9 Commission on National and Community Service ex-
10 ercised before the effective date of this subsection
11 (including all related functions of any officer or em-
12 ployee of the Commission).

13 (3) APPLICATION.—The provisions of para-
14 graphs (3) through (10) of section 203(c) shall
15 apply with respect to the transfer described in para-
16 graph (2), except that—

17 (A) for purposes of such application, ref-
18 erences to the term “ACTION Agency” shall be
19 deemed to be references to the Corporation; and

20 (B) paragraph (10) of such section shall
21 not preclude the transfer of the members of the
22 Board of Directors of the Commission to the
23 Corporation if, on the effective date of this sub-
24 section, the Board of Directors of the Cor-
25 poration has not been confirmed.

1 (d) CONTINUING PERFORMANCE OF CERTAIN FUNC-
2 TIONS.—The individuals who, on the day before the date
3 of enactment of this Act, are performing any of the func-
4 tions required by section 190 of the National and Commu-
5 nity Service Act of 1990 (42 U.S.C. 12651), as in effect
6 on such date, to be performed by the members of the
7 Board of Directors of the Commission on National and
8 Community Service may, subject to section 193A of the
9 National and Community Service Act of 1990, as added
10 by subsection (a) of this section, continue to perform such
11 functions until the date on the Board of Directors of the
12 Corporation for National Service conducts the first meet-
13 ing of the Board. The service of such individuals as mem-
14 bers of the Board of Directors of such Commission, and
15 the employment of such individuals as special government
16 employees, shall terminate on such date.

17 (e) JOB SEARCH ASSISTANCE.—The Chairperson
18 shall establish a program to provide, or shall seek to enter
19 into a memorandum of understanding with the Director
20 of the Office of Personnel Management to provide, job
21 search and related assistance to employees of the ACTION
22 agency who are not transferred to the Corporation for Na-
23 tional Service under section 203(c).

24 (f) GOVERNMENT CORPORATION CONTROL.—

1 (1) WHOLLY OWNED GOVERNMENT COR-
2 PORATION.—Section 9101(3) of title 31, United
3 States Code, is amended by inserting after subpara-
4 graph (D) the following:

5 “(E) the Corporation for National Serv-
6 ice.”.

7 (2) AUDITS.—Section 9105(a)(1) of title 31,
8 United States Code, is amended by inserting “, or
9 under other Federal law,” before “or by an inde-
10 pendent”.

11 (g) DISPOSAL OF PROPERTY.—Section 203(k) of the
12 Federal Property and Administrative Services Act of 1949
13 (40 U.S.C. 484(k)) is amended by adding at the end the
14 following:

15 “(5)(A) Under such regulations as the Administrator
16 may prescribe, the Administrator is authorized, in the dis-
17 cretion of the Administrator, to assign to the Chairperson
18 of the Corporation for National Service for disposal such
19 surplus property as is recommended by the Chairperson
20 as being needed for national service activities.

21 “(B) Subject to the disapproval of the Administrator,
22 within 30 days after notice to the Administrator by the
23 Chairperson of a proposed transfer of property for such
24 activities, the Chairperson, through such officers or em-
25 ployees of the Corporation as the Chairperson may des-

1 ignate, may sell, lease, or donate such property to any en-
 2 tity that receives financial assistance under the National
 3 and Community Service Act of 1990 for such activities.

4 “(C) In fixing the sale or lease value of such property,
 5 the Chairperson shall comply with the requirements of
 6 paragraph (1)(C).”.

7 (h) TABLE OF CONTENTS.—Section 1(b) of the Na-
 8 tional and Community Service Act of 1990 (Public Law
 9 101-610; 104 Stat. 3127) is amended by striking the
 10 items relating to subtitle G of title I of such Act and in-
 11 serting the following:

“Subtitle G—Corporation for National Service

“Sec. 191. Corporation for National Service.

“Sec. 192. Board of Directors.

“Sec. 192A. Authorities and duties of the Board of Directors.

“Sec. 193. Chairperson and Director.

“Sec. 193A. Authorities and duties of the Chairperson.

“Sec. 194. Officers.

“Sec. 194A. Corporation State offices.

“Sec. 195. Employees, consultants, and other personnel.

“Sec. 196. Administration.”.

12 (i) EFFECTIVE DATES.—

13 (1) IN GENERAL.—Except as provided in para-
 14 graph (2), the amendments made by this section
 15 shall take effect on October 1, 1993.

16 (2) ESTABLISHMENT AND APPOINTMENT AU-
 17 THORITIES.—Sections 191, 192, and 193 of the Na-
 18 tional and Community Service Act of 1990, as added
 19 by subsection (a), shall take effect on the date of en-
 20 actment of this Act.

1 SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR
2 NATIONAL SERVICE.

3 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
4 1990.—

5 (1) APPLICATION.—Subtitle I of the National
6 and Community Service Act of 1990 (as amended by
7 section 202 of this Act) is amended in section 191,
8 paragraphs (2) and (4) of section 192A(h), section
9 193(c), subsections (b), (c) (other than paragraph
10 (8)), and (d) of section 193A, subsections (a), (b),
11 and (d) of section 195, and subsections (a) and (b)
12 of section 196, by striking “this Act” each place the
13 term appears and inserting “the national service
14 laws”.

15 (2) GRANTS.—Section 192A(h) of the National
16 and Community Service Act of 1990 (as added by
17 section 202 of this Act) is amended—

18 (A) by striking “and” at the end of para-
19 graph (9);

20 (B) by redesignating paragraph (10) as
21 paragraph (11); and

22 (C) by inserting after paragraph (9) the
23 following:

24 “(10) notwithstanding any other provision of
25 law, make grants to or contracts with Federal or
26 other public departments or agencies and private

1 nonprofit organizations for the assignment or refer-
2 ral of volunteers under the provisions of the Domes-
3 tic Volunteer Service Act of 1973 (except as pro-
4 vided in section 108 of the Domestic Volunteer Serv-
5 ice Act of 1973), which may provide that the agency
6 or organization shall pay all or a part of the costs
7 of the program; and”.

8 (b) AUTHORITIES OF ACTION AGENCY.—Sections
9 401 and 402 of the Domestic Volunteer Service Act of
10 1973 (42 U.S.C. 5041 and 5042) are repealed.

11 (c) TRANSFER OF FUNCTIONS FROM ACTION
12 AGENCY.—

13 (1) DEFINITIONS.—For purposes of this sub-
14 section, unless otherwise provided or indicated by
15 the context—

16 (A) the term “Chairperson” means the
17 Chairperson of the Corporation;

18 (B) the term “Corporation” means the
19 Corporation for National Service, established
20 under section 191 of the National and Commu-
21 nity Service Act of 1990;

22 (C) the term “Federal agency” has the
23 meaning given to the term “agency” by section
24 551(1) of title 5, United States Code;

1 (D) the term "function" means any duty,
2 obligation, power, authority, responsibility,
3 right, privilege, activity, or program; and

4 (E) the term "office" includes any office,
5 administration, agency, institute, unit, organi-
6 zational entity, or component thereof.

7 (2) TRANSFER OF FUNCTIONS.—There are
8 transferred to the Corporation such functions as the
9 President determines to be appropriate that the Di-
10 rector of the ACTION Agency exercised before the
11 effective date of this subsection (including all related
12 functions of any officer or employee of the ACTION
13 Agency).

14 (3) DETERMINATIONS OF CERTAIN FUNCTIONS
15 BY THE OFFICE OF MANAGEMENT AND BUDGET.—
16 If necessary, the Office of Management and Budget
17 shall make any determination of the functions that
18 are transferred under paragraph (2).

19 (4) REORGANIZATION.—The Chairperson is au-
20 thorized to allocate or reallocate any function trans-
21 ferred under paragraph (2) among the officers of the
22 Corporation.

23 (5) TRANSFER AND ALLOCATIONS OF APPRO-
24 PRIATIONS AND PERSONNEL.—Except as otherwise
25 provided in this subsection, the personnel employed

1 in connection with, and the assets, liabilities, con-
2 tracts, property, records, and unexpended balances
3 of appropriations, authorizations, allocations, and
4 other funds employed, used, held, arising from,
5 available to, or to be made available in connection
6 with the functions transferred by this subsection,
7 subject to section 1531 of title 31, United States
8 Code, shall be transferred to the Corporation. Unex-
9 pended funds transferred pursuant to this paragraph
10 shall be used only for the purposes for which the
11 funds were originally authorized and appropriated.

12 (6) INCIDENTAL TRANSFER.—The Director of
13 the Office of Management and Budget, at such time
14 or times as the Director shall provide, is authorized
15 to make such determinations as may be necessary
16 with regard to the functions transferred by this sub-
17 section, and to make such additional incidental dis-
18 positions of personnel, assets, liabilities, grants, con-
19 tracts, property, records, and unexpended balances
20 of appropriations, authorizations, allocations, and
21 other funds held, used, arising from, available to, or
22 to be made available in connection with such func-
23 tions, as may be necessary to carry out the provi-
24 sions of this subsection. The Director of the Office
25 of Management and Budget shall provide for the ter-

1 mination of the affairs of all entities terminated by
2 this subsection and for such further measures and
3 dispositions as may be necessary to effectuate the
4 purposes of this subsection.

5 (7) EFFECT ON PERSONNEL.—

6 (A) IN GENERAL.—Except as otherwise
7 provided by this subsection, the transfer pursu-
8 ant to this subsection of full-time personnel (ex-
9 cept special Government employees) and part-
10 time personnel holding permanent positions
11 shall not cause any such employee to be sepa-
12 rated or reduced in grade or compensation, or
13 to have the benefits of the employee reduced,
14 for 1 year after the date of transfer of such em-
15 ployee under this subsection.

16 (B) EXECUTIVE SCHEDULE POSITIONS.—

17 Except as otherwise provided in this subsection,
18 any person who, on the day preceding the effec-
19 tive date of this subsection, held a position com-
20 pensated in accordance with the Executive
21 Schedule prescribed in chapter 53 of title 5,
22 United States Code, and who, without a break
23 in service, is appointed in the Corporation to a
24 position having duties comparable to the duties
25 performed immediately preceding such appoint-

1 ment shall continue to be compensated in such
2 new position at not less than the rate provided
3 for such previous position, for the duration of
4 the service of such person in such new position.

5 (C) TERMINATION OF CERTAIN POSI-
6 TIONS.—Positions whose incumbents are ap-
7 pointed by the President, by and with the ad-
8 vice and consent of the Senate, the functions of
9 which are transferred by this subsection, shall
10 terminate on the effective date of this sub-
11 section.

12 (8) SAVINGS PROVISIONS.—

13 (A) CONTINUING EFFECT OF LEGAL DOCU-
14 MENTS.—All orders, determinations, rules, reg-
15 ulations, permits, agreements, grants, contracts,
16 certificates, licenses, registrations, privileges,
17 and other administrative actions—

18 (i) that have been issued, made,
19 granted, or allowed to become effective by
20 the President, any Federal agency or offi-
21 cial thereof, or by a court of competent ju-
22 risdiction, in the performance of functions
23 that are transferred under this subsection;
24 and

1 (ii) that are in effect at the time this
2 subsection takes effect, or were final before
3 the effective date of this subsection and
4 are to become effective on or after the ef-
5 fective date of this subsection,
6 shall continue in effect according to their terms
7 until modified, terminated, superseded, set
8 aside, or revoked in accordance with law by the
9 President, the Chairperson, or other authorized
10 official, a court of competent jurisdiction, or by
11 operation of law.

12 (B) PROCEEDINGS NOT AFFECTED.—The
13 provisions of this subsection shall not affect any
14 proceedings, including notices of proposed rule-
15 making, or any application for any license, per-
16 mit, certificate, or financial assistance pending
17 before the ACTION Agency at the time this
18 subsection takes effect, with respect to func-
19 tions transferred by this subsection but such
20 proceedings and applications shall be continued.
21 Orders shall be issued in such proceedings, ap-
22 peals shall be taken therefrom, and payments
23 shall be made pursuant to such orders, as if
24 this subsection had not been enacted, and or-
25 ders issued in any such proceedings shall con-

1 tinue in effect until modified, terminated, su-
2 perseded, or revoked by a duly authorized offi-
3 cial, by a court of competent jurisdiction, or by
4 operation of law. Nothing in this subparagraph
5 shall be deemed to prohibit the discontinuance
6 or modification of any such proceeding under
7 the same terms and conditions and to the same
8 extent that such proceeding could have been
9 discontinued or modified if this subsection had
10 not been enacted.

11 (C) SUITS NOT AFFECTED.—The provi-
12 sions of this subsection shall not affect suits
13 commenced before the effective date of this sub-
14 section, and in all such suits, proceedings shall
15 be had, appeals taken, and judgments rendered
16 in the same manner and with the same effect
17 as if this subsection had not been enacted.

18 (D) NONABATEMENT OF ACTIONS.—No
19 suit, action, or other proceeding commenced by
20 or against the ACTION Agency, or by or
21 against any individual in the official capacity of
22 such individual as an officer of the ACTION
23 Agency, shall abate by reason of the enactment
24 of this subsection.

1 (E) ADMINISTRATIVE ACTIONS RELATING
2 TO PROMULGATION OF REGULATIONS.—Any ad-
3 ministrative action relating to the preparation
4 or promulgation of a regulation by the AC-
5 TION Agency relating to a function transferred
6 under this subsection may be continued by the
7 Corporation with the same effect as if this sub-
8 section had not been enacted.

9 (9) SEVERABILITY.—If a provision of this sub-
10 section or its application to any person or cir-
11 cumstance is held invalid, neither the remainder of
12 this subsection nor the application of the provision
13 to other persons or circumstances shall be affected.

14 (10) TRANSITION.—Prior to, or after, any
15 transfer of a function under this subsection, the
16 Chairperson is authorized to utilize—

17 (A) the services of such officers, employ-
18 ees, and other personnel of the ACTION Agen-
19 cy with respect to functions that will be or have
20 been transferred to the Corporation by this sub-
21 section; and

22 (B) funds appropriated to such functions
23 for such period of time as may reasonably be
24 needed to facilitate the orderly implementation
25 of this subsection.

1 (d) EFFECTIVE DATE.—

2 (1) IN GENERAL.—Except as provided in para-
3 graph (2), this section, and the amendments made
4 by this section, shall take effect—

5 (A) 18 months after the date of enactment
6 of this Act; or

7 (B) on such earlier date as the President
8 shall determine to be appropriate and announce
9 by proclamation published in the Federal Reg-
10 ister.

11 (2) TRANSITION.—Subsection (c)(10) shall take
12 effect on the date of enactment of this Act.

13 **TITLE III—REAUTHORIZATION**

14 **Subtitle A—National and** 15 **Community Service Act of 1990**

16 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

17 Section 501 of the National and Community Service
18 Act of 1990 (42 U.S.C. 12681) is amended to read as
19 follows:

20 **“SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

21 **“(a) TITLE I.—**

22 **“(1) SUBTITLE B.—**There are authorized to be
23 appropriated to provide financial assistance under
24 subtitle B of title I, \$45,000,000 for fiscal year

1 1994, and such sums as may be necessary for each
2 of the fiscal years 1995 through 1998.

3 “(2) SUBTITLES C, D, AND H.—There are au-
4 thorized to be appropriated to provide financial as-
5 sistance under subtitles C and H of title I, and to
6 provide national service educational awards under
7 subtitle D of title I, \$389,000,000 for fiscal year
8 1994, and such sums as may be necessary for each
9 of the fiscal years 1995 through 1998. Of the funds
10 appropriated under this paragraph for a fiscal year,
11 not more than 15 percent of such funds may be
12 made available to provide financial assistance for ac-
13 tivities in subtitle H, section 125, or section 126.

14 “(3) ADMINISTRATION.—There are authorized
15 to be appropriated for the administration of this Act
16 such sums as may be necessary for each of the fiscal
17 years 1994 through 1998.

18 “(b) TITLE III.—There are authorized to be appro-
19 priated to carry out title III \$5,000,000 for each of the
20 fiscal years 1994 through 1998.

21 “(c) AVAILABILITY OF APPROPRIATIONS.—Funds ap-
22 propriated under this section shall remain available until
23 expended.”.

1 **Subtitle B—Domestic Volunteer**
2 **Service Act of 1973**

3 **SEC. 311. SHORT TITLE; REFERENCES.**

4 (a) **SHORT TITLE.**—This subtitle may be cited as the
5 “Domestic Volunteer Service Act Amendments of 1993”.

6 (b) **REFERENCES.**—Except as otherwise specifically
7 provided, whenever in this subtitle an amendment or re-
8 peal is expressed in terms of an amendment to, or repeal
9 of, a section or other provision, the reference shall be con-
10 sidered to be made to a section or other provision of the
11 Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950
12 et seq.).

13 **CHAPTER 1—VISTA AND OTHER ANTI-**
14 **POVERTY PROGRAMS**

15 **SEC. 321. PURPOSE OF THE VISTA PROGRAM.**

16 The last sentence of section 101 (42 U.S.C. 4951)
17 is amended to read as follows: “In addition, the objectives
18 of this part are to generate the commitment of private
19 sector resources, to encourage volunteer service at the
20 local level, and to strengthen local agencies and organiza-
21 tions to carry out the purpose of this part.”.

22 **SEC. 321A. ASSISTANT DIRECTOR FOR VISTA PROGRAM.**

23 (a) **IN GENERAL.**—Section 102 (42 U.S.C. 4952) is
24 amended by striking “The Director” and inserting “This
25 part shall be administered by the Assistant Director ap-

1 pointed pursuant to section 195(a)(2) of the National and
2 Community Service Act of 1990. Such Director”.

3 (b) **EFFECTIVE DATE.**—The amendments made by
4 subsection (a) shall take effect on the effective date of sec-
5 tion 203(b).

6 **SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOL-**
7 **UNTEERS.**

8 (a) **VOLUNTEER ASSIGNMENTS.**—Section 103(a) (42
9 U.S.C. 4953(a)) is amended—

10 (1) in the matter preceding paragraph (1), by
11 striking “a public” and inserting “public”;

12 (2) in paragraph (2), by striking “and” at the
13 end;

14 (3) in paragraph (3), by striking “illiterate or
15 functionally illiterate youth and other individuals,”;

16 (4) in paragraph (5), by striking “and” at the
17 end;

18 (5) in paragraph (6)—

19 (A) by striking “or the Community Eco-
20 nomic” and inserting “the Community Eco-
21 nomic”;

22 (B) by inserting “or other similar Acts,”
23 after “1981,”; and

24 (C) by striking the period and inserting “;
25 and”; and

1 (6) by adding at the end the following new
2 paragraph:

3 “(7) in strengthening, supplementing, and ex-
4 panding efforts to address the problem of illiteracy
5 throughout the United States.”.

6 (b) RECRUITMENT PROCEDURES.—Section 103(b)
7 (42 U.S.C. 4953(b)) is amended—

8 (1) in paragraph (2)—

9 (A) by amending subparagraph (A) to read
10 as follows:

11 “(A) The Director shall establish and
12 maintain within the national headquarters of
13 the ACTION Agency (or any successor entity of
14 such agency) a volunteer placement office which
15 shall be responsible for all functions related to
16 the recruitment and placement of volunteers
17 under this part. Such functions and activities
18 shall be carried out in coordination or in con-
19 junction with recruitment and placement activi-
20 ties carried out under the National Service
21 Trust Act of 1993.”; and

22 (B) by striking subparagraphs (C) and
23 (D);

24 (2) by striking paragraphs (4) and (6); and

1 (3) by redesignating paragraphs (5) and (7) as
2 paragraphs (4) and (6), respectively.

3 (c) PUBLIC AWARENESS AND RECRUITMENT.—Sub-
4 section (c) of section 103 (42 U.S.C. 4953(c)) is
5 amended—

6 (1) in paragraph (1)—

7 (A) in the 1st sentence, by striking “, in
8 conjunction with the regional or State employ-
9 ees designated in subparagraphs (C) and (D) of
10 subsection (b)(2),”;

11 (B) in the 2nd sentence, by striking “shall
12 include” and inserting “may include”;

13 (C) by redesignating subparagraphs (F)
14 and (G) as subparagraphs (G) and (H), respec-
15 tively; and

16 (D) by inserting after subparagraph (E)
17 the following new subparagraph:

18 “(F) publicizing educational awards avail-
19 able under the National Service Trust Act of
20 1993;”;

21 (2) by striking paragraphs (4) and (5); and

22 (3) by redesignating paragraph (6) as para-
23 graph (4).

1 (d) COORDINATION WITH OTHER FEDERAL AGEN-
2 CIES.—Section 103 (42 U.S.C. 4953) is amended by add-
3 ing at the end the following new subsection:

4 “(h) The Director is encouraged to enter into agree-
5 ments with other Federal agencies to use VISTA vol-
6 unteers in furtherance of program objectives that are con-
7 sistent with the purposes described in section 101.”.

8 **SEC. 323. TERMS AND PERIODS OF SERVICE.**

9 (a) CLARIFICATION AND PERIODS OF SERVICE.—
10 Subsection (b) of section 104 (42 U.S.C. 4954(b)) is
11 amended to read as follows:

12 “(b)(1) Volunteers serving under this part may be en-
13 rolled initially for periods of service of not less than 1 year,
14 nor more than 2 years, except as provided in paragraph
15 (2) or subsection (e).

16 “(2) Volunteers serving under this part may be en-
17 rolled for periods of service of less than 1 year if the Direc-
18 tor determines, on an individual basis, that a period of
19 service of less than 1 year is necessary to meet a critical
20 scarce skill need.

21 “(3) Volunteers serving under this part may be
22 reenrolled for periods of service in a manner to be deter-
23 mined by the Director. No volunteer shall serve for more
24 than a total of 5 years under this part.”.

1 (b) SUMMER PROGRAM.—Section 104 (42 U.S.C.
2 4954) is amended by adding at the end the following new
3 subsection:

4 “(e)(1) Notwithstanding any other provision of this
5 part, the Director may enroll full-time VISTA summer as-
6 sociates in a program for the summer months only, under
7 such terms and conditions as the Director shall determine
8 to be appropriate. Such individuals shall be assigned to
9 projects that meet the criteria set forth in section 103(a).

10 “(2) In preparing reports relating to programs under
11 this Act, the Director shall report on participants, costs,
12 and accomplishments under the summer program sepa-
13 rately.

14 “(3) The limitation on funds appropriated for grants
15 and contracts, as contained in section 108, shall not apply
16 to the summer program.”.

17 **SEC. 324. SUPPORT FOR VISTA VOLUNTEERS.**

18 (a) POSTSERVICE STIPEND.—Section 105(a)(1) (42
19 U.S.C. 4955(a)(1)) is amended—

20 (1) by inserting “(A)” after “(a)(1)”; and

21 (2) by striking the second sentence and insert-
22 ing the following:

23 “(B) Such stipend shall not exceed \$95 per month
24 in fiscal year 1994, but shall be set at a minimum of \$100
25 per month during the service of the volunteer after Octo-

ber 1, 1994. The Director may provide a stipend of a maximum of \$200 per month in the case of persons who have served as volunteers under this part for at least 1 year and who, in accordance with standards established in such regulations as the Director shall prescribe, have been designated volunteer leaders on the basis of experience and special skills and a demonstrated leadership among volunteers.

“(C) The Director shall not provide a stipend under this subsection to an individual who elects to receive a national service education award under subtitle D of title I of the National and Community Service Act of 1990.”.

(b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42 U.S.C. 4955(b)) is amended—

(1) in paragraph (3)—

(A) by striking subparagraph (A);

(B) in subparagraph (B), by striking the subparagraph designation; and

(C) by adding at the end the following new sentence: “The Director shall review such adjustments on an annual basis to ensure that the adjustments are current.”; and

(2) by striking paragraph (4).

1 **SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PER-**
2 **SONS.**

3 Section 107 (42 U.S.C. 4957) is amended to read as
4 follows:

5 **"SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PER-**
6 **SONS.**

7 "In carrying out this part and part C, the Director
8 shall take necessary steps, including the development of
9 special projects, where appropriate, to encourage the full-
10 est participation of individuals 18 through 27 years of age,
11 and individuals 55 years of age and older, in the various
12 programs and activities authorized under such parts."

13 **SEC. 326. LITERACY ACTIVITIES.**

14 Section 109 (42 U.S.C. 4959) is amended—

15 (1) in subsection (g)—

16 (A) by striking paragraph (1); and

17 (B) by striking the paragraph designation
18 of paragraph (2); and

19 (2) in subsection (h), by striking paragraph (3).

20 **SEC. 327. APPLICATIONS FOR ASSISTANCE.**

21 Section 110 (42 U.S.C. 4960) is amended to read as
22 follows:

23 **"SEC. 110. APPLICATIONS FOR ASSISTANCE.**

24 "In reviewing an application for assistance under this
25 part, the Director shall not deny such assistance to any
26 project or program, or any public or private nonprofit or-

1 ganization, solely on the basis of the duration of the assist-
2 ance such project, program, or organization has received
3 under this part prior to the date of submission of the ap-
4 plication. The Director shall grant assistance under this
5 part on the basis of merit and to accomplish the goals
6 of the VISTA program, and shall consider the needs and
7 requirements of projects in existence on such date as well
8 as potential new projects.”.

9 **SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMU-**
10 **UNITY SERVICE PROGRAMS.**

11 Part B of title I (42 U.S.C. 4971 et seq.) is amended
12 by repealing section 114 (42 U.S.C. 4974).

13 **SEC. 329. UNIVERSITY YEAR FOR VISTA.**

14 (a) **PROGRAM TITLE.**—Part B of title I (42 U.S.C.
15 4971 et seq.) is amended—

16 (1) in the part heading to read as follows:

17 “PART B—UNIVERSITY YEAR FOR VISTA”;

18 (2) by striking “University Year for ACTION”
19 each place that such term appears in such part and
20 inserting “University Year for VISTA”;

21 (3) by striking “UYA” each place that such
22 term appears in such part and inserting “UYV”;
23 and

1 (4) in section 112 (42 U.S.C. 4972) by striking
2 the section heading and inserting the following new
3 section heading:

4 "AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA
5 PROGRAM".

6 (b) SPECIAL CONDITIONS.—Section 113(a) (42
7 U.S.C. 4973(a)) is amended—

8 (1) by striking “of not less than the duration
9 of an academic year” and inserting “of not less than
10 the duration of an academic semester or its equiva-
11 lent”; and

12 (2) by adding at the end the following new sen-
13 tence: "Volunteers may receive a living allowance
14 and such other support or allowances as the Director
15 determines to be appropriate."

16 SEC. 330. AUTHORITY TO ESTABLISH AND OPERATE SPE-
17 CIAL VOLUNTEER AND DEMONSTRATION
18 PROGRAMS.

19 Section 122 (42 U.S.C. 4992) is amended to read as
20 follows:

21 "SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPE-
22 CIAL VOLUNTEER AND DEMONSTRATION
23 PROGRAMS.

24 “(a) IN GENERAL.—The Director is authorized to
25 conduct special volunteer programs for demonstration pro-
26 grams, or award grants to or enter into contracts with

1 public or nonprofit organizations to carry out such pro-
2 grams. Such programs shall encourage wider volunteer
3 participation on a full-time, part-time, or short-term basis
4 to further the purpose of this part, and identify particular
5 segments of the poverty community that could benefit
6 from volunteer and other antipoverty efforts.

7 “(b) ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—

8 The assignment of volunteers under this section, and the
9 provision of support for such volunteers, including any
10 subsistence allowances and stipends, shall be on such
11 terms and conditions as the Director shall determine to
12 be appropriate, but shall not exceed the level of support
13 provided under section 105. Projects using volunteers who
14 do not receive stipends may also be supported under this
15 section.

16 “(c) CRITERIA AND PRIORITIES.—In carrying out
17 this section and section 123, the Director shall establish
18 criteria and priorities for awarding grants and entering
19 into contracts under this part in each fiscal year. No grant
20 or contract exceeding \$100,000 shall be made under this
21 part unless the recipient of the grant or contractor has
22 been selected by a competitive process that includes public
23 announcement of the availability of funds for such grant
24 or contract, general criteria for the selection of recipients

1 or contractors, and a description of the application process
2 and application review process.”.

3 **SEC. 331. TECHNICAL AND FINANCIAL ASSISTANCE.**

4 Section 123 (42 U.S.C. 4993) is amended to read as
5 follows:

6 **“SEC. 123. TECHNICAL AND FINANCIAL ASSISTANCE.**

7 “The Director may provide technical and financial as-
8 sistance to Federal agencies, State and local governments
9 and agencies, private nonprofit organizations, employers,
10 and other private organizations that utilize or desire to
11 utilize volunteers in carrying out the purpose of this
12 part.”.

13 **SEC. 332. ELIMINATION OF SEPARATE AUTHORITY FOR**
14 **DRUG ABUSE PROGRAMS.**

15 Section 124 (42 U.S.C. 4994) is repealed.

16 **CHAPTER 2—NATIONAL SENIOR**
17 **VOLUNTEER CORPS**

18 **SEC. 341. NATIONAL SENIOR VOLUNTEER CORPS.**

19 (a) **TITLE HEADING.**—The heading for title II is
20 amended to read as follows:

21 **“TITLE II—NATIONAL SENIOR**
22 **VOLUNTEER CORPS”.**

23 (b) **REFERENCES.**—

24 (1) Section 200(1) (42 U.S.C. 5000(1)) is
25 amended by striking “Older American Volunteer

1 Programs” and inserting “National Senior Volunteer
2 Corps”.

3 (2) The heading for section 221 (42 U.S.C.
4 5021) is amended by striking “OLDER AMERICAN
5 VOLUNTEER PROGRAMS” and inserting “NATIONAL
6 SENIOR VOLUNTEER CORPS”.

7 (3) Section 224 (42 U.S.C. 5024) is amended—

8 (A) in the section heading by striking
9 “OLDER AMERICAN VOLUNTEER PROGRAMS”
10 and inserting “NATIONAL SENIOR VOLUNTEER
11 CORPS”; and

12 (B) by striking “volunteer projects for
13 Older Americans” and inserting “National Sen-
14 ior Volunteer Corps projects”.

15 (4) Section 205(c) of the Older Americans
16 Amendments of 1975 (Public Law 94-135; 89 Stat.
17 727; 42 U.S.C. 5001 note) is amended by striking
18 “national older American volunteer programs” each
19 place the term appears and inserting “National Sen-
20 ior Volunteer Corps programs”.

21 **SEC. 342. THE RETIRED AND SENIOR VOLUNTEER PRO-**
22 **GRAM.**

23 (a) PART HEADING.—The heading for part A of title
24 II is amended by striking “RETIRED SENIOR VOLUNTEER

1 PROGRAM" and inserting "RETIRED AND SENIOR VOL-
2 UNTEER PROGRAM".

3 (b) REFERENCES.—Section 200 (42 U.S.C. 5000) is
4 amended by striking "retired senior volunteer program"
5 each place that such term appears in such section and the
6 Act and inserting "Retired and Senior Volunteer Pro-
7 gram".

8 **SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOL-**
9 **UNTEER PROGRAM.**

10 Section 201(a) (42 U.S.C. 5001(a)) is amended in
11 the matter preceding paragraph (1) by striking "retired
12 persons" and inserting "retired individuals and working
13 older individuals".

14 **SEC. 344. SERVICES UNDER THE FOSTER GRANDPARENT**
15 **PROGRAM.**

16 Section 211(a) (42 U.S.C. 5011(a)) is amended by
17 striking ", including services" and all that follows through
18 "with special needs." and inserting a period and the fol-
19 lowing: "Such services may include services by individuals
20 serving as foster grandparents to children with disabilities
21 and chronic health conditions and to children who are re-
22 ceiving care in hospitals, who are residing in homes for
23 dependent and neglected children, or who are receiving
24 services provided by day care centers, schools, Head Start
25 agencies, early intervention programs, family support pro-

1 grams, or other programs, establishments, or institutions
2 providing services for children with special or exceptional
3 needs. Individual foster grandparents may provide person-
4 to-person services to one or more children, depending on
5 the need for such services.”.

6 **SEC. 345. STIPENDS FOR LOW-INCOME VOLUNTEERS.**

7 Section 211(d) (42 U.S.C. 5011(d)) is amended—

8 (1) in the second sentence by striking “Any sti-
9 pend or allowance provided under this subsection
10 shall not be less than \$2.20 per hour until October
11 1, 1990, \$2.35 per hour during fiscal year 1991,
12 and \$2.50 per hour on and after October 1, 1992,”
13 and inserting “Any stipend or allowance provided
14 under this section shall not be less than \$2.45 per
15 hour on and after October 1, 1993, and shall be ad-
16 justed once prior to December 31, 1997, to account
17 for inflation, as determined by the Director and
18 rounded to the nearest five cents,”; and

19 (2) by adding at the end the following:

20 “In establishing the amount of, and the effective date for,
21 such adjustment, the Director, in consultation with the
22 State commissions (as defined in section 178 of the Na-
23 tional and Community Service Act of 1990) and the heads
24 of the State offices established under section 195 of such
25 Act, shall consider the effect such adjustment will have

1 on the ability of non-Federally funded volunteer programs
2 similar to the programs under this title to maintain their
3 current level of volunteer hours.”.

4 **SEC. 346. CONDITIONS OF GRANTS AND CONTRACTS.**

5 Section 212 (42 U.S.C. 5012) is repealed.

6 **SEC. 347. AGREEMENTS WITH OTHER FEDERAL AGENCIES.**

7 Section 221(a) (42 U.S.C. 5021(a)) is amended—

8 (1) by striking “(1)” and inserting “(1)(A)”;

9 and

10 (2) by adding at the end the following:

11 “(2) To the maximum extent practicable, the

12 Director shall enter into agreements with—

13 “(A) the Department of Health and

14 Human Services to—

15 “(i) involve retired and senior vol-
16 unteers, and foster grandparents, in Head
17 Start programs;

18 “(ii) involve retired and senior vol-
19 unteers, and senior companions, in provid-
20 ing services authorized by title III of the
21 Older Americans Act of 1965; and

22 “(iii) promote the recognition of such
23 volunteers who are qualified to provide in-
24 home services for reimbursement under

1 title XVIII of the Social Security Act for
2 providing such services;

3 “(B) the Department of Education to pro-
4 mote intergenerational tutoring and mentoring
5 for at-risk children; and

6 “(C) the Environmental Protection Agency
7 to support conservation efforts.”.

8 **SEC. 348. MINORITY GROUP PARTICIPATION.**

9 Section 223 (42 U.S.C. 5023) is amended by adding
10 at the end the following:

11 “Such efforts shall include using methods appropriate to
12 communicate with individuals who have limited English-
13 language proficiency.”.

14 **SEC. 349. PROGRAMS OF NATIONAL SIGNIFICANCE.**

15 Section 225 (42 U.S.C. 5025) is amended—

16 (1) in subsection (a)(2)(B) by striking “para-
17 graph (10)” and inserting “paragraphs (10), (12),
18 (15), and (16)”;

19 (2) in subsection (b), by adding at the end the
20 following new paragraphs:

21 “(12) Programs that address environmental
22 needs.

23 “(13) Programs that reach out to organizations
24 (such as labor unions and profit-making organiza-

1 tions) not previously involved in addressing national
2 problems of local concern.

3 “(14) Programs that provide for outreach to in-
4 crease participation of members of ethnic groups
5 who have limited English-language proficiency.

6 “(15) Programs that support criminal justice
7 activities and juvenile justice activities.

8 “(16) Programs that involve older volunteers
9 working with young people in apprenticeship pro-
10 grams.

11 “(17) Programs that support the community in-
12 tegration of individuals with disabilities.”;

13 (3) in subsection (c)(1), by striking “of this
14 title”; and

15 (4) in subsection (d), by striking paragraph (1)
16 and inserting the following new paragraph:

17 “(1) Except as provided in paragraph (2), from the
18 amounts appropriated under subsection (a), (b), (c), or (d)
19 of section 502, for each fiscal year there shall be available
20 to the Director such sums as may be necessary to make
21 grants under subsection (a).”.

22 **SEC. 350. DEMONSTRATION PROGRAMS.**

23 Title II is amended by adding at the end the fol-
24 lowing:

1 “PART E—DEMONSTRATION PROGRAMS

2 “SEC. 231. AUTHORITY OF DIRECTOR.

3 “(a) IN GENERAL.—The Director is authorized to
4 make grants to or enter into contracts with public or non-
5 profit private agencies and organizations, including orga-
6 nizations funded under part A, B, or C, for the purposes
7 of demonstrating innovative activities involving older indi-
8 viduals as volunteers. The Director may support under
9 this part both volunteers receiving stipends and volunteers
10 not receiving stipends.

11 “(b) ACTIVITIES.—An organization that receives a
12 grant or enters into a contract under subsection (a) may
13 use funds made available through the grant or contract
14 for activities such as—

15 “(1) linking youth groups, and organizations
16 whose members are older individuals, in volunteer
17 activities;

18 “(2) involving older volunteers in programs and
19 activities different from those currently supported in
20 the community; and

21 “(3) testing whether programs for older vol-
22 unteers may contribute to achieving new objectives
23 or to carrying out certain national priorities.”.

1 **CHAPTER 3—ADMINISTRATION**

2 **SEC. 361. PURPOSE OF AGENCY.**

3 Section 401 (42 U.S.C. 5041) is amended—

4 (1) by inserting after the first sentence the fol-
5 lowing: “This Agency shall also promote the coordi-
6 nation of volunteer efforts among Federal, State,
7 and local agencies and organizations, exchange tech-
8 nical assistance information among them, and pro-
9 vide technical assistance to other nations concerning
10 domestic volunteer programs within their coun-
11 tries.”; and

12 (2) by striking “Older American Volunteer Pro-
13 grams” each place the term appears and inserting
14 “National Senior Volunteer Corps”.

15 **SEC. 362. AUTHORITY OF THE DIRECTOR.**

16 Section 402 (42 U.S.C. 5042) is amended in para-
17 graphs (5) and (6) by inserting “solicit and” before “ac-
18 cept” in each such paragraph.

19 **SEC. 362A. POLITICAL ACTIVITIES.**

20 Section 403 (42 U.S.C. 5043) is amended—

21 (1) by redesignating subsections (b)(2) and (c)
22 as subsections (d) and (e), respectively; and

23 (2) by striking subsection (b)(1) and inserting
24 the following:

1 “(b)(1) Programs assisted under this Act may not in-
2 volve the provision of services or the employment or as-
3 signment of personnel in a manner supporting or resulting
4 in the identification of such programs with voter reg-
5 istration activities, except the permissible voter reg-
6 istration activities described in subsection (c)(1).

7 “(2) Programs assisted under this Act shall not use
8 program funds to support any voter registration activities.

9 “(c)(1) The permissible voter registration activities
10 described in this subsection are—

11 “(A) the nonpartisan dissemination of voter
12 registration applications and voter registration infor-
13 mation (including making such applications and in-
14 formation available on the premises of programs as-
15 sisted under this Act);

16 “(B) the provision of nonpartisan assistance in
17 completing voter registration applications; and

18 “(C) the acceptance of completed voter reg-
19 istration applications for transmittal to appropriate
20 State election officials.

21 “(2) In carrying out any voter registration activity
22 permitted under paragraph (1), an individual who is affili-
23 ated with, or employed to carry out, a program assisted
24 under this Act shall not—

1 “(A) indicate a preference with respect to any
2 candidate, political party, or election issue; or

3 “(B) seek to influence the political or party af-
4 filiation, or voting decision, of any individual.”.

5 **SEC. 363. COMPENSATION FOR VOLUNTEERS.**

6 Section 404 (42 U.S.C. 5044) is amended—

7 (1) in subsection (c), by inserting “from such
8 volunteers or from beneficiaries” after “com-
9 pensation”;

10 (2) by striking subsection (f); and

11 (3) by redesignating subsection (g) as sub-
12 section (f).

13 **SEC. 364. REPEAL OF REPORT.**

14 Section 407 (42 U.S.C. 5047) is repealed.

15 **SEC. 365. APPLICATION OF FEDERAL LAW.**

16 Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is
17 amended by striking “a grade GS-7 employee” and insert-
18 ing “an employee at grade GS-5 of the General Schedule
19 under section 5332 of title 5, United States Code”.

20 **SEC. 366. NONDISCRIMINATION PROVISIONS.**

21 Section 417 (42 U.S.C. 5057) is amended to read as
22 follows:

23 **“SEC. 417. NONDISCRIMINATION PROVISIONS.**

24 “(a) IN GENERAL.—

1 “(1) BASIS.—An individual with responsibility
2 for the operation of a program that receives assist-
3 ance under this Act shall not discriminate against a
4 participant in, or member of the staff of, such pro-
5 gram on the basis of race, color, national origin, sex,
6 age, or political affiliation of such participant or
7 member, or on the basis of disability, if the partici-
8 pant or member is a qualified individual with a dis-
9 ability.

10 “(2) DEFINITION.—As used in paragraph (1),
11 the term ‘qualified individual with a disability’ has
12 the meaning given the term in section 101(8) of the
13 Americans with Disabilities Act of 1990 (42 U.S.C.
14 12111(8)).

15 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
16 ance provided under this Act shall constitute Federal fi-
17 nancial assistance for purposes of title VI of the Civil
18 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
19 of the Education Amendments of 1972 (20 U.S.C. 1681
20 et seq.), section 504 of the Rehabilitation Act of 1973 (29
21 U.S.C. 794), and the Age Discrimination Act of 1975 (42
22 U.S.C. 6101 et seq.).

23 “(c) RELIGIOUS DISCRIMINATION.—

24 “(1) IN GENERAL.—Except as provided in para-
25 graph (2), an individual with responsibility for the

1 operation of a program that receives assistance
2 under this Act shall not discriminate on the basis of
3 religion against a participant in such program or a
4 member of the staff of such program who is paid
5 with funds received under this Act.

6 “(2) EXCEPTION.—Paragraph (1) shall not
7 apply to the employment, with assistance provided
8 under this Act, of any member of the staff, of a pro-
9 gram that receives assistance under this Act, who
10 was employed with the organization operating the
11 program on the date the grant under this Act was
12 awarded.

13 “(d) RULES AND REGULATIONS.—The Director shall
14 promulgate rules and regulations to provide for the en-
15 forcement of this section that shall include provisions for
16 summary suspension of assistance for not more than 30
17 days, on an emergency basis, until notice and an oppor-
18 tunity to be heard can be provided.”.

19 **SEC. 367. ELIMINATION OF SEPARATE REQUIREMENTS FOR**
20 **SETTING REGULATIONS.**

21 Section 420 (42 U.S.C. 5060) is repealed.

22 **SEC. 368. CLARIFICATION OF ROLE OF INSPECTOR GEN-**
23 **ERAL.**

24 Section 422 (42 U.S.C. 5062) is amended—

1 (1) in subsection (a), by inserting "or the In-
2 spector General" after "Director"; and

3 (2) in subsection (b), by inserting ", the Inspec-
4 tor General," after "Director" each place that such
5 term appears.

6 **SEC. 369. COPYRIGHT PROTECTION.**

7 Title IV is amended by adding at the end, the fol-
8 lowing new section:

9 **"SEC. 425. PROTECTION AGAINST IMPROPER USE.**

10 "Whoever falsely—

11 "(1) advertises or represents; or

12 "(2) publishes or displays any sign, symbol, or
13 advertisement, reasonably calculated to convey the
14 impression,

15 that an entity is affiliated with, funded by, or operating
16 under the authority of ACTION, VISTA, or any of the
17 programs of the National Senior Volunteer Corps may be
18 enjoined under an action filed by the Attorney General,
19 on a complaint by the Director."

20 **SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**

21 **A VOLUNTEER.**

22 (a) **CIVIL SERVICE RETIREMENT SYSTEM.—**

23 (1) **CREDITABLE SERVICE.—**Section 8332(j) of
24 title 5, United States Code, is amended—

25 (A) in paragraph (1)—

1 (i) in the first sentence, by inserting
2 “the period of an individual’s service as a
3 full-time volunteer enrolled in a program of
4 at least 1 year’s duration under part A, B,
5 or C of title I of the Domestic Volunteer
6 Service Act of 1973,” after “Economic Op-
7 portunity Act of 1964,”;

8 (ii) in the second sentence, by insert-
9 ing “, as a full-time volunteer enrolled in
10 a program of at least 1 year’s duration
11 under part A, B, or C of title I of the Do-
12 mestic Volunteer Service Act of 1973,”
13 after “Economic Opportunity Act of
14 1964”; and

15 (iii) in the last sentence—

16 (I) by inserting “or under part
17 A, B, or C of title I of the Domestic
18 Volunteer Service Act of 1973” after
19 “Economic Opportunity Act of 1964”;
20 and

21 (II) by inserting “or the Chair-
22 person of the Corporation for Na-
23 tional Service, as appropriate,” after
24 “Director of the Office of Economic
25 Opportunity”; and

1 (B) by adding at the end the following new
2 paragraph:

3 “(3) The provisions of paragraph (1) relating to cred-
4 it for service as a volunteer or volunteer leader under the
5 Economic Opportunity Act of 1964, part A, B, or C of
6 title I of the Domestic Volunteer Service Act of 1973, or
7 the Peace Corps Act shall not apply to any period of serv-
8 ice as a volunteer or volunteer leader of an employee or
9 Member with respect to which the employee or Member
10 has made the deposit with interest, if any, required by sec-
11 tion 8334(l).”.

12 (2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOS-
13 ITS.—

14 (A) IN GENERAL.—Section 8334 of title 5,
15 United States Code, is amended by adding at
16 the end the following new subsection:

17 “(1)(1) Each employee or Member who has performed
18 service as a volunteer or volunteer leader under part A
19 of title VIII of the Economic Opportunity Act of 1964,
20 as a full-time volunteer enrolled in a program of at least
21 1 year’s duration under part A, B, or C of title I of the
22 Domestic Volunteer Service Act of 1973, or as a volunteer
23 or volunteer leader under the Peace Corps Act before the
24 date of the separation on which the entitlement to any
25 annuity under this subchapter is based may pay, in ac-

1 cordance with such regulations as the Office of Personnel
2 Management shall issue, an amount equal to 7 percent
3 of the readjustment allowance paid to the employee or
4 Member under title VIII of the Economic Opportunity Act
5 of 1964 or section 5(c) or 6(1) of the Peace Corps Act
6 or the stipend paid to the employee or Member under part
7 A, B, or C of title I of the Domestic Volunteer Service
8 Act of 1973, for each period of service as such a volunteer
9 or volunteer leader.

10 “(2) Any deposit made under paragraph (1) more
11 than 2 years after the later of—

12 “(A) October 1, 1993; or

13 “(B) the date on which the employee or Mem-
14 ber making the deposit first becomes an employee or
15 Member,

16 shall include interest on such amount computed and
17 compounded annually beginning on the date of the expira-
18 tion of the 2-year period. The interest rate that is applica-
19 ble in computing interest in any year under this paragraph
20 shall be equal to the interest rate that is applicable for
21 such year under subsection (e).

22 “(3) The Director of the Peace Corps and the Chair-
23 person of the Corporation for National Service shall fur-
24 nish such information to the Office of Personnel Manage-

1 ment as the Office may determine to be necessary for the
2 administration of this subsection.”.

3 (B) CONFORMING AMENDMENT.—Section
4 8334(e) of title 5, United States Code, is
5 amended in paragraphs (1) and (2) by striking
6 “or (k)” each place that such term appears and
7 inserting “(k), or (l)”.

8 (b) FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—

9 (1) CREDITABLE SERVICE.—Section 8411 of
10 title 5, United States Code, is amended—

11 (A) in subsection (b)(3), by striking “sub-
12 section (f)” and inserting “subsection (f) or
13 (h)”; and

14 (B) by adding at the end the following new
15 subsection:

16 “(h) An employee or Member shall be allowed credit
17 for service as a volunteer or volunteer leader under part
18 A of title VIII of the Economic Opportunity Act of 1964,
19 as a full-time volunteer enrolled in a program of at least
20 1 year’s duration under part A, B, or C of title I of the
21 Domestic Volunteer Service Act of 1973, or as a volunteer
22 or volunteer leader under the Peace Corps Act performed
23 at any time prior to the separation on which the entitle-
24 ment to any annuity under this subchapter is based if the

1 employee or Member has made a deposit with interest, if
2 any, with respect to such service under section 8422(f).”.

3 (2) DEDUCTIONS, CONTRIBUTIONS.—Section
4 8422 of title 5, United States Code, is amended by
5 adding at the end the following new subsection:

6 “(f)(1) Each employee or Member who has performed
7 service as a volunteer or volunteer leader under part A
8 of title VIII of the Economic Opportunity Act of 1964,
9 as a full-time volunteer enrolled in a program of at least
10 1 year’s duration under part A, B, or C of title I of the
11 Domestic Volunteer Service Act of 1973, or as a volunteer
12 or volunteer leader under the Peace Corps Act before the
13 date of the separation on which the entitlement to any
14 annuity under this subchapter, or subchapter V of this
15 chapter, is based may pay, in accordance with such regula-
16 tions as the Office of Personnel Management shall issue,
17 an amount equal to 3 percent of the readjustment allow-
18 ance paid to the employee or Member under title VIII of
19 the Economic Opportunity Service Act of 1964 or section
20 5(c) or 6(1) of the Peace Corps Act or the stipend paid
21 to the employee or Member under part A, B, or C of title
22 I of the Domestic Volunteer Service Act of 1973, for each
23 period of service as such a volunteer or volunteer leader.
24 “(2) Any deposit made under paragraph (1) more
25 than 2 years after the later of—

1 “(A) October 1, 1993, or

2 “(B) the date on which the employee or Mem-
3 ber making the deposit first becomes an employee or
4 Member,

5 shall include interest on such amount computed and
6 compounded annually beginning on the date of the expira-
7 tion of the 2-year period. The interest rate that is applica-
8 ble in computing interest in any year under this paragraph
9 shall be equal to the interest rate that is applicable for
10 such year under section 8334(e).

11 “(3) The Director of the Peace Corps and the Chair-
12 person of the Corporation for National Service shall fur-
13 nish such information to the Office of Personnel Manage-
14 ment as the Office may determine to be necessary for the
15 administration of this subsection.”.

16 (c) APPLICABILITY AND OTHER PROVISIONS.—

17 (1) APPLICABILITY.—

18 (A) AMENDMENTS RELATING TO CSRS.—

19 (i) IN GENERAL.—The amendments
20 made by subsection (a) shall apply with re-
21 spect to any individual entitled to an annu-
22 ity on the basis of a separation from serv-
23 ice occurring on or after the effective date
24 of this subtitle.

1 (ii) RULES RELATING TO ANNUITIES
2 BASED ON EARLIER SEPARATIONS.—An
3 annuity under subchapter III of chapter 83
4 of title 5, United States Code, payable to
5 an individual based on a separation from
6 service occurring before the effective date
7 of this subtitle shall be subject to the pro-
8 visions of paragraph (2).

9 (B) AMENDMENTS RELATING TO FERS.—

10 (i) IN GENERAL.—The amendments
11 made by subsection (b) shall apply with re-
12 spect to any individual entitled to an annu-
13 ity on the basis of a separation from serv-
14 ice occurring before, on, or after the effec-
15 tive date of this subtitle, subject to clause
16 (ii).

17 (ii) RULE RELATING TO ANNUITIES
18 BASED ON EARLIER SEPARATIONS.—In the
19 case of any individual whose entitlement to
20 an annuity is based on a separation from
21 service occurring before the effective date
22 of this subtitle, any increase in such indi-
23 vidual's annuity on the basis of a deposit
24 made under section 8442(f) of title 5,
25 United States Code, as amended by sub-

1 section (b)(2), shall be effective beginning
2 with the annuity payment payable for the
3 first calendar month beginning after the
4 effective date of this subtitle.

5 (2) SPECIAL RULES.—

6 (A) OLD-AGE OR SURVIVORS INSURANCE
7 BENEFITS.—Subject to subparagraph (B), in
8 any case in which an individual described in
9 paragraph (1)(A)(ii) is also entitled to old-age
10 or survivors insurance benefits under section
11 202 of the Social Security Act (or would be en-
12 titled to such benefits upon filing an application
13 therefor), the amount of the annuity to which
14 such individual is entitled under subchapter III
15 of chapter 83 of title 5, United States Code
16 (after taking into account any creditable service
17 as a volunteer or volunteer leader under the
18 Economic Opportunity Act of 1964, the Domes-
19 tic Volunteer Service Act of 1973, or the Peace
20 Corps Act) which is payable for any month
21 shall be reduced by an amount determined by
22 multiplying the amount of such old-age or sur-
23 vivors insurance benefit for the determination
24 month by a fraction—

1 (i) the numerator of which is the total
2 of the wages (within the meaning of sec-
3 tion 209 of the Social Security Act) for
4 service as a volunteer or volunteer leader
5 under the Economic Opportunity Act of
6 1964, the Domestic Volunteer Service Act
7 of 1973, or the Peace Corps Act of such
8 individual credited for years before the cal-
9 endar year in which the determination
10 month occurs, up to the contribution and
11 benefit base determined under section 230
12 of the Social Security Act (or other appli-
13 cable maximum annual amount referred to
14 in section 215(e)(1) of such Act for each
15 such year); and

16 (ii) the denominator of which is the
17 total of all wages described in clause (i),
18 plus all other wages (within the meaning of
19 section 209 of such Act) and all self-em-
20 ployment income (within the meaning of
21 section 211(b) of such Act) of such individ-
22 ual credited for years after 1936 and be-
23 fore the calendar year in which the deter-
24 mination month occurs, up to the con-
25 tribution and benefit base (or such other

1 amount referred to in section 215(e)(1) of
2 such Act for each such year.

3 (B) LIMITATIONS.—

4 (i) Subparagraph (A) shall not reduce
5 the annuity of an individual below the
6 amount of the annuity which would be pay-
7 able to the individual for the determination
8 month if the provisions of section 8332(j)
9 of title 5, United States Code, relating to
10 service as a volunteer or volunteer leader,
11 applied to the individual for such month.

12 (ii) Subparagraph (A) shall not apply
13 in the case of an individual who, prior to
14 the date of enactment of this Act, made a
15 deposit for under section 8334(c) of title 5,
16 United States Code, with respect to service
17 as a volunteer or volunteer leader (as de-
18 scribed in subparagraph (A)).

19 (iii) DETERMINATION MONTH.—For
20 purposes of this paragraph, the term “de-
21 termination month” means—

22 (I) the first month the individual
23 described in paragraph (1)(A)(ii) is
24 entitled to old-age or survivors bene-
25 fits under section 202 of the Social

1 Security Act (or would be entitled to
2 such benefits upon filing an applica-
3 tion therefor); or

4 (II) the first calendar month be-
5 ginning after the date of enactment of
6 this Act, in the case of any individual
7 entitled to such benefits for such
8 month.

9 (vi) RULE RELATING TO ANNUITIES
10 BASED ON EARLIER SEPARATIONS.—Any
11 increase in an annuity which occurs by vir-
12 tue of the enactment of this paragraph
13 shall be effective beginning with the annu-
14 ity payment payable for the first calendar
15 month beginning after the effective date of
16 this subtitle.

17 (3) FURNISHING OF INFORMATION.—The Sec-
18 retary of Health and Human Services shall furnish
19 such information to the Office of Personnel Manage-
20 ment as may be necessary to carry out this sub-
21 section.

22 (4) ACTION TO INFORM INDIVIDUALS.—The Di-
23 rector of the Office of Personnel Management shall
24 take such action as may be necessary and appro-
25 priate to inform individuals entitled to credit under

1 this section for service as a volunteer or volunteer
2 leader, or to have any annuity recomputed, or to
3 make a deposit under this section, of such entitle-
4 ment.

5 **CHAPTER 4—AUTHORIZATION OF APPRO-**
6 **PRIATIONS AND OTHER AMENDMENTS**

7 **SEC. 381. AUTHORIZATION OF APPROPRIATIONS FOR**
8 **TITLE I.**

9 Section 501 (42 U.S.C. 5081) is amended to read as
10 follows:

11 **“SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PRO-**
12 **GRAMS.**

13 “(a) AUTHORIZATIONS.—

14 “(1) VOLUNTEERS IN SERVICE TO AMERICA.—

15 There are authorized to be appropriated to carry out
16 parts A and B of title I, excluding section 109,
17 \$56,000,000 for fiscal year 1994, and such sums as
18 may be necessary for each of the fiscal years 1995
19 through 1998.

20 “(2) LITERACY ACTIVITIES.—There are author-
21 ized to be appropriated to carry out section 109,
22 such sums as may be necessary for each of the fiscal
23 years 1994 through 1998.

24 “(3) SPECIAL VOLUNTEER PROGRAMS.—There
25 are authorized to be appropriated to carry out part

1 C of title I, excluding section 125, such sums as may
2 be necessary for each of the fiscal years 1994
3 through 1998.

4 “(4) LITERACY CHALLENGE GRANTS.—There
5 are authorized to be appropriated to carry out sec-
6 tion 125, such sums as may be necessary for each
7 of the fiscal years 1994 through 1998.

8 “(b) SUBSISTENCE.—The minimum level of an allow-
9 ance for subsistence required under section 105(b)(2), to
10 be provided to each volunteer under title I, may not be
11 reduced or limited in order to provide for an increase in
12 the number of volunteer service years under part A of title
13 I.

14 “(c) LIMITATION.—No part of the funds appro-
15 priated to carry out part A of title I may be used to pro-
16 vide volunteers or assistance to any program or project
17 authorized under part B or C of title I, or under title II,
18 unless the program or project meets the antipoverty cri-
19 teria of part A of title I.

20 “(d) AVAILABILITY.—Amounts appropriated for part
21 A of title I shall remain available for obligation until the
22 end of the fiscal year following the fiscal year for which
23 the amounts were appropriated.

24 “(e) VOLUNTEER SERVICE REQUIREMENT.—

1 “(1) VOLUNTEER SERVICE YEARS.—Of the
2 amounts appropriated under this section for parts A,
3 B, and C of title I, including section 125, there shall
4 first be available for part A of title I, including sec-
5 tions 104(e) and 109, an amount not less than the
6 amount necessary to provide 3,700 volunteer service
7 years in fiscal year 1994, 4,000 volunteer service
8 years in fiscal year 1995, 4,500 volunteer service
9 years in fiscal year 1996, 5,500 volunteer service
10 years in fiscal year 1997, and 7,500 volunteer serv-
11 ice years in fiscal year 1998.

12 “(2) PLAN.—If the Director determines that
13 funds appropriated to carry out part A, B, or C of
14 title I are insufficient to provide for the years of vol-
15 unteer service required by paragraph (1), the Direc-
16 tor shall submit a plan to the relevant authorizing
17 and appropriations committees of Congress that will
18 detail what is necessary to fully meet this require-
19 ment.”.

20 **SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR**

21 **TITLE II**

22 Section 502 (42 U.S.C. 5082) is amended to read as
23 follows:

1 **"SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.**

2 “(a) RETIRED AND SENIOR VOLUNTEER PRO-
3 GRAM.—There are authorized to be appropriated to carry
4 out part A of title II, \$53,100,000 for fiscal year 1994,
5 and such sums as may be necessary for each of the fiscal
6 years 1995 through 1998.

7 “(b) FOSTER GRANDPARENT PROGRAM.—There are
8 authorized to be appropriated to carry out part B of title
9 II, \$98,200,000 for fiscal year 1994, and such sums as
10 may be necessary for each of the fiscal years 1995 through
11 1998.

12 “(c) SENIOR COMPANION PROGRAM.—There are au-
13 thorized to be appropriated to carry out part C of title
14 II, \$48,700,000 for fiscal year 1994, and such sums as
15 may be necessary for each of the fiscal years 1995 through
16 1998.

17 “(d) DEMONSTRATION PROGRAMS.—There are au-
18 thorized to be appropriated to carry out part E of title
19 II, such sums as may be necessary for each of the fiscal
20 years 1994 through 1998.”.

21 **SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR**

22 **TITLE IV.**

23 Section 504 (42 U.S.C. 5084) is amended to read as
24 follows:

1 **"SEC. 504. ADMINISTRATION AND COORDINATION.**

2 “(a) IN GENERAL.—For each of the fiscal years 1994
3 through 1998, there are authorized to be appropriated for
4 the administration of this Act as provided for in title IV,
5 21 percent of the total amount appropriated under sec-
6 tions 501 and 502 with respect to such year.

7 “(b) EVALUATION AND CENTER FOR RESEARCH AND
8 TRAINING.—For each of the fiscal years 1994 through
9 1998, the Director is authorized to expend not less than
10 2½ percent, and not more than 5 percent, of the amount
11 appropriated under subsection (a), for the purposes pre-
12 scribed in sections 416 and 426.”.

13 **SEC. 384. CONFORMING AMENDMENTS; COMPENSATION**
14 **FOR VISTA FECA CLAIMANTS.**

15 Section 8143(b) of title 5, United States Code, is
16 amended by striking “GS-7” and inserting “GS-5 of the
17 General Schedule under section 5332 of title 5, United
18 States Code”.

19 **SEC. 385. REPEAL OF AUTHORITY.**

20 Title VII (42 U.S.C. 5091 et seq.) is repealed.

21 **CHAPTER 5—GENERAL PROVISIONS**

22 **SEC. 391. TECHNICAL AND CONFORMING AMENDMENTS.**

23 The Domestic Volunteer Service Act of 1973 (42
24 U.S.C. 4950 et seq.) is amended by striking “That this
25 Act” and all that follows through the end of the table of
26 contents and inserting the following:

1 "SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 "(a) SHORT TITLE.—This Act may be cited as the
3 'Domestic Volunteer Service Act of 1973'.

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

"Sec. 1. Short title; table of contents.

"Sec. 2. Volunteerism policy.

"TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

"PART A—VOLUNTEERS IN SERVICE TO AMERICA

"Sec. 101. Statement of purpose.

"Sec. 102. Authority to operate VISTA program.

"Sec. 103. Selection and assignment of volunteers.

"Sec. 104. Terms and periods of service.

"Sec. 105. Support service.

"Sec. 106. Participation of beneficiaries.

"Sec. 107. Participation of younger and older persons.

"Sec. 108. Limitation.

"Sec. 109. VISTA Literacy Corps.

"Sec. 110. Applications for assistance.

"PART B—UNIVERSITY YEAR FOR VISTA

"Sec. 111. Statement of purpose.

"Sec. 112. Authority to operate University Year for VISTA program.

"Sec. 113. Special conditions.

"PART C—SPECIAL VOLUNTEER PROGRAMS

"Sec. 121. Statement of purpose.

"Sec. 122. Authority to establish and operate special volunteer and demonstration programs.

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

"Sec. 125. Literacy challenge grants.

"TITLE II—NATIONAL SENIOR VOLUNTEER CORPS

"Sec. 200. Statement of purposes.

"PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

"Sec. 201. Grants and contracts for volunteer service projects.

"PART B—FOSTER GRANDPARENT PROGRAM

"Sec. 211. Grants and contracts for volunteer service projects.

"PART C—SENIOR COMPANION PROGRAM

"Sec. 213. Grants and contracts for volunteer service projects.

"PART D—GENERAL PROVISIONS

- "Sec. 221. Promotion of National Senior Volunteer Corps.
- "Sec. 222. Payments.
- "Sec. 223. Minority group participation.
- "Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.
- "Sec. 225. Programs of national significance.
- "Sec. 226. Adjustments to Federal financial assistance.
- "Sec. 227. Multiyear grants or contracts.

"PART E—DEMONSTRATION PROGRAMS

- "Sec. 231. Authority of Director.
- "Sec. 232. Prohibition.

"TITLE IV—ADMINISTRATION AND COORDINATION

- "Sec. 403. Political activities.
- "Sec. 404. Special limitations.
- "Sec. 406. Labor standards.
- "Sec. 408. Joint funding.
- "Sec. 409. Prohibition of Federal control.
- "Sec. 410. Coordination with other programs.
- "Sec. 411. Prohibition.
- "Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.
- "Sec. 414. Distribution of benefits between rural and urban areas.
- "Sec. 415. Application of Federal law.
- "Sec. 416. Evaluation.
- "Sec. 417. Nondiscrimination provisions.
- "Sec. 418. Eligibility for other benefits.
- "Sec. 419. Legal expenses.
- "Sec. 421. Definitions.
- "Sec. 422. Audit.
- "Sec. 423. Reduction of paperwork.
- "Sec. 424. Review of project renewals.
- "Sec. 425. Protection against improper use.
- "Sec. 426. Center for Research and Training.

"TITLE V—AUTHORIZATION OF APPROPRIATIONS

- "Sec. 501. National volunteer antipoverty programs.
- "Sec. 502. National Senior Volunteer Corps.
- "Sec. 504. Administration and coordination.
- "Sec. 505. Availability of appropriations.

"TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS

- "Sec. 601. Supersedence of Reorganization Plan No. 1 of July 1, 1971.
- "Sec. 602. Creditable service for civil service retirement.
- "Sec. 603. Repeal of title VIII of the Economic Opportunity Act.
- "Sec. 604. Repeal of title VI of the Older Americans Act."

1 **SEC. 392. EFFECTIVE DATE.**

2 This subtitle shall become effective on October 1,
3 1993.

4 **TITLE IV—TECHNICAL AND**
5 **CONFORMING AMENDMENTS**

6 **SEC. 401. DEFINITION OF DIRECTOR.**

7 Section 421 of the Domestic Volunteer Service Act
8 of 1973 (42 U.S.C. 5061) is amended by striking para-
9 graph (1) and inserting the following new paragraph:

10 “(1) the term ‘Director’ means the Chairperson
11 and Director of the Corporation for National Service
12 appointed under section 193 of the National and
13 Community Service Act of 1990;”.

14 **SEC. 402. REFERENCES TO ACTION AND THE ACTION AGEN-**
15 **CY.**

16 (a) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—

17 (1) Section 2(b) of the Domestic Volunteer
18 Service Act of 1973 (42 U.S.C. 4950(b)) is
19 amended—

20 (A) by striking “ACTION, the Federal do-
21 mestic volunteer agency,” and inserting “this
22 Act”; and

23 (B) by striking “ACTION” and inserting
24 “the Corporation for National Service”.

1 (2) Section 125(b) of such Act (42 U.S.C.
2 4995(b)) is amended by striking “the ACTION
3 Agency” and inserting “the Corporation”.

4 (3) Section 225(e) of such Act (42 U.S.C.
5 5025(e)) is amended by striking “the ACTION
6 Agency” and inserting “the Corporation”.

7 (4) Section 403(a) of such Act (42 U.S.C.
8 5043(a) is amended—

9 (A) by striking “the ACTION Agency” the
10 first place it appears and inserting “the Cor-
11 poration under this Act”; and

12 (B) by striking “the ACTION Agency” the
13 second place it appears and inserting “the Cor-
14 poration”.

15 (5) Section 408 of such Act (42 U.S.C. 5048)
16 is amended by striking “the ACTION Agency” and
17 inserting “the Corporation”.

18 (6) Section 421(11) of such Act (as added by
19 section 403 of this Act) is further amended by strik-
20 ing “ACTION” and inserting “the Corporation”.

21 (7) Section 425 of such Act (as added by sec-
22 tion 370 of this Act) is further amended by striking
23 “ACTION” and inserting “the Corporation”.

24 (b) ADMINISTRATION ON CHILDREN, YOUTH, AND
25 FAMILIES.—Section 916(b) of the Claude Pepper Young

1 Americans Act of 1990 (42 U.S.C. 12312(b)) is amended
2 by striking "the Director of the ACTION Agency" and
3 inserting "the Chairperson of the Corporation for Na-
4 tional Service".

5 (c) INSPECTOR GENERAL.—Section 8E(a)(2) of the
6 Inspector General Act of 1978 (5 U.S.C. App.) is
7 amended—

8 (1) by striking "ACTION,"; and

9 (2) by inserting "the Corporation for National
10 Service (except as provided in section 194(b) of the
11 National and Community Service Act of 1990),"
12 after "the Consumer Product Safety Commission,".

13 (d) PUBLIC HOUSING SECURITY.—Section 207(c) of
14 the Public Housing Security Demonstration Act of 1978
15 (Public Law 95-557; 92 Stat. 2093; 12 U.S.C. 1701z-
16 6 note) is amended—

17 (1) in paragraph (3)(ii), by striking "ACTION"
18 and inserting "the Corporation for National Serv-
19 ice"; and

20 (2) in paragraph (4), by striking "ACTION"
21 and inserting "the Corporation for National Serv-
22 ice".

23 (e) NATIONAL FOREST VOLUNTEERS.—Section 1 of
24 the Volunteers in the National Forests Act of 1972 (16

1 U.S.C. 558a) is amended by striking "ACTION" and in-
2 serting "the Corporation for National Service".

3 (f) PEACE CORPS.—Section 2A of the Peace Corps
4 Act (22 U.S.C. 2501–1) is amended by inserting after
5 "the ACTION Agency" the following: " , the successor to
6 the ACTION Agency,".

7 (g) INDIAN ECONOMIC DEVELOPMENT.—Section 502
8 of the Indian Financing Act of 1974 (25 U.S.C. 1542)
9 is amended by striking "ACTION Agency" and inserting
10 "the Corporation for National Service".

11 (h) OLDER AMERICANS.—The Older Americans Act
12 of 1965 is amended—

13 (1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)),
14 by striking "the Director of the ACTION Agency"
15 and inserting "the Corporation for National Serv-
16 ice";

17 (2) in section 203(a)(1) (42 U.S.C.
18 3013(a)(1)), by striking "the ACTION Agency" and
19 inserting "the Corporation for National Service";
20 and

21 (3) in section 422(b)(12)(C) (42 U.S.C.
22 3035a(b)(12)(C)), by striking "the ACTION Agen-
23 cy" and inserting "the Corporation for National
24 Service".

1 (i) VISTA SERVICE EXTENSION.—Section 101(c)(1)
2 of the Domestic Volunteer Service Act Amendments of
3 1989 (Public Law 101-204; 103 Stat. 1810; 42 U.S.C.
4 4954 note) is amended by striking “Director of the AC-
5 TION Agency” and inserting “Chairperson of the Cor-
6 poration for National Service”.

7 (j) AGING RESOURCE SPECIALISTS.—Section 205(c)
8 of the Older Americans Amendments of 1975 (Public Law
9 94-135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—
10 (1) in paragraph (1)—

11 (A) by striking “the ACTION Agency,”
12 and inserting “the Corporation for National
13 Service,”; and

14 (B) by striking “the Director of the AC-
15 TION Agency” and inserting “the Chairperson
16 of the Corporation”;

17 (2) in paragraph (2)(A), by striking “ACTION
18 Agency” and inserting “Corporation”; and

19 (3) in paragraph (3), by striking subparagraph
20 (A) and inserting the following new subparagraph:

21 “(A) the term ‘Corporation’ means the Cor-
22 poration for National Service established by section
23 191 of the National and Community Service Act of
24 1990.”.

1 (k) PROMOTION OF PHOTOVOLTAIC ENERGY.—Sec-
2 tion 11(a) of the Solar Photovoltaic Energy Research, De-
3 velopment, and Demonstration Act of 1978 (42 U.S.C.
4 5590) is amended by striking “the Director of ACTION,”.

5 (l) COORDINATING COUNCIL ON JUVENILE JUS-
6 TICE.—Section 206(a)(1) of the Juvenile Justice and De-
7 linquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1))
8 is amended by striking “the Director of the ACTION
9 Agency” and inserting “the Chairperson of the Cor-
10 poration for National Service”.

11 (m) ENERGY CONSERVATION.—Section 413(b)(1) of
12 the Energy Conservation and Production Act (42 U.S.C.
13 6863(b)(1)) is amended by striking “the Director of the
14 ACTION Agency,”.

15 (n) INTERAGENCY COUNCIL ON THE HOMELESS.—
16 Section 202(a) of the Stewart B. McKinney Homeless As-
17 sistance Act (42 U.S.C. 11312(a)) is amended by striking
18 paragraph (12) and inserting the following new para-
19 graph:

20 “(12) The Chairperson of the Corporation for
21 National Service, or the designee of the Chair-
22 person.”.

23 (o) ANTI-DRUG ABUSE.—Section 3601 of the Anti-
24 Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended

1 by striking paragraph (6) and inserting the following new
2 paragraph:

3 “(6) the term ‘Director’ means the Chairperson
4 and Director of the Corporation for National Serv-
5 ice,”.

6 **SEC. 403. DEFINITIONS.**

7 Section 421 of the Domestic Volunteer Service Act
8 of 1973 (42 U.S.C. 5061) is amended—

9 (1) by striking “and” at the end of paragraph
10 (6);

11 (2) by striking the period at the end of para-
12 graph (7) and inserting a semicolon; and

13 (3) by adding at the end the following new
14 paragraphs:

15 “(8) the term ‘Corporation’ means the Cor-
16 poration for National Service established under sec-
17 tion 191 of the National and Community Service Act
18 of 1990;

19 “(9) the term ‘foster grandparent’ means a vol-
20 unteer in the Foster Grandparent Program;

21 “(10) the term ‘Foster Grandparent Program’
22 means the program established under part B of title
23 II;

24 “(11) the term ‘Inspector General’ means the
25 Inspector General of the Corporation;

1 “(12) the term ‘national senior volunteer’
2 means a volunteer in the National Senior Volunteer
3 Corps;

4 “(13) the term ‘National Senior Volunteer
5 Corps’ means the programs established under parts
6 A, B, C, and E of title II;

7 “(14) the term ‘Retired and Senior Volunteer
8 Program’ means the program established under part
9 A of title II;

10 “(15) the term ‘retired or senior volunteer’
11 means a volunteer in the Retired and Senior Vol-
12 unteer Program;

13 “(16) the term ‘senior companion’ means a vol-
14 unteer in the Senior Companion Program;

15 “(17) the term ‘Senior Companion Program’
16 means the program established under part C of title
17 II;

18 “(18) the terms ‘VISTA’ and ‘Volunteers in
19 Service to America’ mean the program established
20 under part A of title I; and

21 “(19) the term ‘VISTA volunteer’ means a vol-
22 unteer in VISTA.”.

1 SEC. 404. REFERENCES TO THE COMMISSION ON NATIONAL
2 AND COMMUNITY SERVICE.

3 (a) NATIONAL DEFENSE AUTHORIZATION ACT FOR
4 FISCAL YEAR 1993.—

5 (1) Section 1092(b) of the National Defense
6 Authorization Act for Fiscal Year 1993 (42 U.S.C.
7 12653a note) is amended—

8 (A) in paragraph (1)—

9 (i) by striking “Commission on Na-
10 tional Community Service” and inserting
11 “Corporation for National Service”; and

12 (ii) by striking “Commission shall pre-
13 pare” and inserting “Board of Directors of
14 the Corporation shall prepare”; and

15 (B) in paragraph (2), by striking “Board
16 of Directors of the Commission on National and
17 Community Service” and inserting “Board of
18 Directors of the Corporation for National Serv-
19 ice”.

20 (2) Section 1093(a) of such Act (42 U.S.C.
21 12653a note) is amended by striking “the Board of
22 Directors and Executive Director of the Commission
23 on National and Community Service” and inserting
24 “the Board of Directors and Chairperson of the Cor-
25 poration for National Service”.

1 (3) Section 1094 of such Act (Public Law 102-
2 484; 106 Stat. 2535) is amended—

3 (A) in the title, by striking “COMMISSION
4 ON NATIONAL AND COMMUNITY SERVICE”
5 and inserting “CORPORATION FOR NA-
6 TIONAL SERVICE”;

7 (B) in subsection (a)—

8 (i) in the heading, by striking “COM-
9 MISSION” and inserting “CORPORATION”;

10 (ii) in the first sentence, by striking
11 “Commission on National and Community
12 Service” and inserting “Corporation for
13 National Service”; and

14 (iii) in the second sentence, by strik-
15 ing “The Commission” and inserting “The
16 Chairperson of the Corporation”; and

17 (C) in subsection (b)—

18 (i) in paragraph (1), by striking
19 “Board of Directors of the Commission on
20 National and Community Service” and in-
21 serting “Chairperson of the Corporation
22 for National Service”; and

23 (ii) in paragraph (2), by striking “the
24 Commission” and inserting “the Chair-

1 person of the Corporation for National
2 Service”.

3 (4) Section 1095 of such Act (Public Law 102-
4 484; 106 Stat. 2535) is amended in the heading for
5 subsection (b) by striking “COMMISSION ON NA-
6 TIONAL AND COMMUNITY SERVICE” and inserting
7 “CORPORATION FOR NATIONAL SERVICE”.

8 (5) Section 2(b) of such Act (Public Law 102-
9 484; 106 Stat. 2315) is amended by striking the
10 item relating to section 1094 of such Act and insert-
11 ing the following:

“Sec. 1094. Other programs of the Corporation for National Service.”.

12 (b) NATIONAL AND COMMUNITY SERVICE ACT OF
13 1990.—

14 (1) Sections 159(b)(2) (as redesignated in sec-
15 tion 104(b)(3) of this Act) and 165 (as redesignated
16 in section 104(b)(3) of this Act), subsections (a) and
17 (b) of section 172, sections 176(a) and 177(c), and
18 subsections (a), (b), and (d) through (h) of section
19 179, of the National and Community Service Act of
20 1990 (42 U.S.C. 12653h(b)(2), 12653n, 12632 (a)
21 and (b), 12636(a), 12637(c), and 12639 (a), (b),
22 and (d) through (h)) are each amended by striking
23 the term “Commission” each place the term appears
24 and inserting “Corporation”.

1 (2) Sections 152, 157(b)(2), 159(b),
2 162(a)(2)(C), 164, and 166(1) of such Act (in each
3 case, as redesignated in section 104(b)(3) of this
4 Act) (42 U.S.C. 12653a, 12653f(b)(2), 12653h(b),
5 12653k(a)(2)(C), 12653m, and 12653o(1)) are each
6 amended by striking "Commission on National and
7 Community Service" and inserting "Corporation".

8 (3) Section 163(b)(9) of such Act (as redesign-
9 ated in section 104(b)(3) of this Act) (42 U.S.C.
10 12635l(b)(9)) is amended by striking "Chair of the
11 Commission on National and Community Service"
12 and inserting "Chairperson".

13 (4) Section 303(a) of such Act (42 U.S.C.
14 12662(a)) is amended—

15 (A) by striking "The President" and in-
16 serting "The President, acting through the Cor-
17 poration,";

18 (B) by inserting "in furtherance of activi-
19 ties under section 302" after "section 501(b)";
20 and

21 (C) by striking "the President" both places
22 it appears and inserting "the Corporation".

1 SEC. 405. REFERENCES TO DIRECTORS OF THE COMMIS-
2 SION ON NATIONAL AND COMMUNITY SERV-
3 ICE.

4 (a) CHAIRPERSON.—

5 (1) Section 159(a) of such Act (as redesignated
6 in section 104(b)(3) of this Act) (42 U.S.C.
7 12653h(b)) is amended—

8 (A) by striking “BOARD.—The Board”
9 and inserting “SUPERVISION.—The Chair-
10 person”;

11 (B) by striking “the Board” in the matter
12 preceding the paragraphs and in paragraph (1)
13 and inserting “the Chairperson”; and

14 (C) by striking “the Director” in para-
15 graph (1) and inserting “the Board”.

16 (2) Section 159(b) of such Act (as redesignated
17 in section 104(b)(3) of this Act) (42 U.S.C.
18 12653h(b)) is amended by striking “(b)” and all
19 that follows through “Commission on National and
20 Community Service” and inserting “(b) MON-
21 ITORING AND COORDINATION.—The Chairperson”.

22 (3) Section 159(c)(1) (as redesignated in sec-
23 tion 104(b)(3) of this Act) (12653h(c)(1)) is
24 amended—

1 (A) in subparagraph (A), by striking “the
2 Board, in consultation with the Executive Di-
3 rector,” and inserting “Chairperson”; and

4 (B) in subparagraph (B)(iii), by striking
5 “the Board through the Executive Director”.

6 (4) Section 166(6) (as redesignated in section
7 104(b)(3) of this Act) (42 U.S.C. 12653o(6)) is
8 amended—

9 (A) by striking paragraph (6); and

10 (B) by redesignating paragraphs (7)
11 through (11) as paragraphs (6) through (10),
12 respectively.

13 (b) DIRECTOR OF CIVILIAN COMMUNITY CORPS.—
14 Sections 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and
15 163(a) (in each case, as redesignated in section 104(b)(3)
16 of this Act) of the National and Community Service Act
17 of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A),
18 12653g(a), 12653h(c)(1)(A), and 12653l(a)) are amended
19 by striking “Director of Civilian Community Corps” each
20 place the term appears and inserting “Director”.

21 **SEC. 406. EFFECTIVE DATE.**

22 (a) ACTION.—The amendments made by sections
23 401 and 402 (except subsection (c)(2)) shall take effect
24 on the effective date of section 203.

1 (b) COMMISSION.—The amendments made by section
2 402(c)(2), and sections 403 through 405, will take effect
3 on October 1, 1993.