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JUNE 18, 1993

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
To H.R. 2010**

**(Showing the text ordered reported by the Com-
mittee on Education and Labor on June 17,
1993)**

Strike all after the enacting clause and insert the
following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

4 (b) TABLE OF CONTENTS.—The table of contents is
5 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. 321A. Assistant Director for 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.

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

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

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

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

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

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

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

23 “(2) renew the ethic of civic responsibility and
24 the spirit of community throughout the United
25 States;

1 “(3) expand educational opportunity by reward-
2 ing individuals who participate in national service
3 with an increased ability to pursue higher education
4 or job training;

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

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

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

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

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

22 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
23 tional and Community Service Act of 1990 (Public Law
24 101–610; 104 Stat. 3127) is amended by striking the item
25 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 non-
9 profit organizations, and institutions of higher education
10 for the purpose of assisting the recipients of the grants—

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

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

17 “(b) AGREEMENTS WITH FEDERAL AGENCIES.—The
18 Corporation may enter into a contract or cooperative
19 agreement with another Federal agency to support a na-
20 tional service program carried out by the agency. The sup-
21 port provided by the Corporation pursuant to the contract
22 or cooperative agreement may include the transfer to the
23 Federal agency of funds available to the Corporation
24 under this subtitle. A Federal agency receiving assistance
25 under this subsection shall not be required to satisfy the

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

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

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

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

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

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

24 “(d) FIVE PERCENT LIMITATION ON ADMINISTRA-
25 TIVE COSTS.—

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

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

7 “(B) national service programs carried out
8 or supported with the assistance.

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

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

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

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

20 “(ii) national service programs carried
21 out or supported with the assistance.

22 “(e) MATCHING FUNDS REQUIREMENTS.—

23 “(1) REQUIREMENTS.—Except as provided in
24 section 140, the Federal share of the cost of carry-
25 ing out a national service program that receives the

1 assistance under subsection (a), whether the assist-
2 ance is provided directly or as a subgrant from the
3 original recipient of the assistance, may not exceed
4 75 percent of such cost.

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

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

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

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

21 **“SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGI-**
22 **BLE FOR PROGRAM ASSISTANCE.**

23 “(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—
24 The recipient of a grant under section 121(a) and each
25 Federal agency receiving assistance under section 121(b)

1 shall use the assistance, directly or through subgrants to
2 other entities, to carry out full- or part-time national serv-
3 ice programs, including summer programs, that address
4 unmet human, educational, environmental, or public safe-
5 ty needs. Subject to subsection (b)(1), these national serv-
6 ice programs may include the following types of national
7 service programs:

8 “(1) A community corps program that meets
9 unmet human, educational, environmental, or public
10 safety needs and promotes greater community unity
11 through the use of organized teams of participants
12 of varied social and economic backgrounds, skill lev-
13 els, physical and developmental capabilities, ages,
14 ethnic backgrounds, or genders.

15 “(2) A full-time, year-round youth corps pro-
16 gram or full-time summer youth corps program,
17 such as a conservation corps or youth service corps
18 (including the Public Lands Corps established under
19 the Public Lands Corps Act of 1993, the Urban
20 Youth Corps established under section 106 of the
21 National Service Trust Act of 1993, and other con-
22 servation corps or youth service corps that performs
23 service on Federal or other public lands or on Indian
24 lands or Hawaiian home lands), that—

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

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

14 “(C) provides those participants who are
15 youths and young adults with—

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

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

24 “(3) A program that provides specialized train-
25 ing to individuals in service-learning and places the

1 individuals after such training in positions, including
2 positions as service-learning coordinators, to facili-
3 tate service-learning in programs eligible for funding
4 under part I subtitle B.

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

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

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

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

22 “(6) A campus-based program that is designed
23 to provide substantial service in a community during
24 the school term and during summer or other vaca-
25 tion periods through the use of—

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

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

7 “(C) teams composed of a combination of
8 such students and community residents.

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

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

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

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

23 “(8) A professional corps program that recruits,
24 trains, and places qualified participants in
25 positions—

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

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

11 “(C) that are sponsored by public or pri-
12 vate nonprofit employers who agree to pay 100
13 percent of the salaries and benefits (other than
14 any national service educational award under
15 subtitle D) of the participants.

16 “(9) A program in which economically dis-
17 advantaged individuals (including individuals with
18 disabilities) who are between the ages of 16 and 25
19 years of age, inclusive, are provided with opportuni-
20 ties to perform service that, while enabling such in-
21 dividuals to obtain the education and employment
22 skills necessary to achieve economic self-sufficiency,
23 will help their communities meet—

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

1 “(B) the need for community facilities in
2 low-income areas.

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

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

13 “(12) A program that is administered by a
14 combination of nonprofit organizations located in a
15 low-income area, provides a broad range of services
16 to residents of such area, is governed by a board
17 composed in significant part of low-income individ-
18 uals, and is intended to provide opportunities for in-
19 dividuals or teams of individuals to engage in com-
20 munity projects in such area that meet unaddressed
21 community and individual needs, including projects
22 that would—

23 “(A) meet the needs of low-income children
24 and youth aged 18 and younger, such as pro-

1 viding after-school 'safe-places' with opportuni-
2 ties for learning and recreation; or

3 “(B) be directed to other important
4 unaddressed needs in such area.

5 “(13) A community service program designed to
6 meet the needs of rural communities, using teams or
7 individual placements to address the development
8 needs of rural communities and to combat rural pov-
9 erty, including health care, education, and job train-
10 ing.

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

15 “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-
16 GIBILITY.—

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

1 “(2) CONSULTATION.—In establishing qualifica-
2 tion criteria under paragraph (1), the Corporation
3 shall consult with organizations and individuals with
4 extensive experience in developing and administering
5 effective national service programs or regarding the
6 delivery of human, educational, environmental, or
7 public safety services to communities or persons.

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

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

25 “(c) NATIONAL SERVICE PRIORITIES.—

1 “(1) ESTABLISHMENT BY CORPORATION.—In
2 order to concentrate national efforts on meeting cer-
3 tain unmet human, educational, environmental, or
4 public safety needs and to achieve the other pur-
5 poses of this Act, the Corporation may establish,
6 and periodically alter, priorities regarding the types
7 of national service programs to be assisted under
8 section 121 and the purposes for which such assist-
9 ance may be used.

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

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

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

22 “(3) APPLICATION TO SUBGRANTS.—Any na-
23 tional service priorities established by the Cor-
24 poration under this subsection shall also be used by
25 each recipient of funds under section 121(a) that

1 uses any portion of the assistance to conduct a grant
2 program to support other national service programs.

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

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

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

15 "(2) A position for a participant in a program
16 that—

17 "(A) is carried out by a State, a sub-
18 division of a State, an Indian tribe, a public or
19 private nonprofit organization, an institution of
20 higher education, or a Federal agency; and

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

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

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

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

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

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

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

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

22 “(b) OPERATIONAL ASSISTANCE.—The Corporation
23 may provide assistance under section 121 to a qualified
24 applicant that submits an application under section 130
25 for the establishment, operation, or expansion of a na-

1 tional service program. Assistance provided in accordance
2 with this subsection may cover a period of not more than
3 3 years, but may be renewed by the Corporation upon con-
4 sideration of a new application under section 130.

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

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

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

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

23 “(1) improve the ability of national service pro-
24 grams assisted under section 121 to meet human,

1 educational, environmental, or public safety needs in
2 communities—

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

4 “(B) where programs do not currently
5 exist or are currently too limited to meet com-
6 munity needs;

7 “(2) promote leadership development in such
8 programs;

9 “(3) improve the instructional and pro-
10 grammatic quality of such programs to build an
11 ethic of civic responsibility;

12 “(4) develop the management and budgetary
13 skills of program operators; and

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

16 “(b) TECHNICAL ASSISTANCE.—The Corporation
17 shall make appropriate technical assistance available to
18 States, subdivisions of States, Federal agencies, Indian
19 tribes, public and private nonprofit organizations, and in-
20 stitutions of higher education that desire—

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

22 “(2) to apply for assistance under such section
23 or under a grant program conducted using assist-
24 ance provided under such section.

1 **"SEC. 126. OTHER SPECIAL ASSISTANCE.**

2 “(a) SUPPORT FOR STATE COMMISSIONS.—

3 “(1) ASSISTANCE AUTHORIZED.—Of the funds
4 appropriated to carry out this subtitle in each fiscal
5 year, not to exceed \$17,500,000 shall be available to
6 the Corporation to make assistance available to as-
7 sist a State to establish or operate the State Com-
8 mission on National Service required to be estab-
9 lished by the State under section 178.

10 “(2) AMOUNT OF ASSISTANCE.—Except as pro-
11 vided in paragraph (3), the amount of assistance
12 that may be provided to a State Commission under
13 this subsection, together with other Federal funds
14 available to establish or operate the State Commis-
15 sion, may not exceed—

16 “(A) 85 percent of the total cost to estab-
17 lish or operate the State Commission for the
18 first year for which the State Commission re-
19 ceives assistance under this subsection; and

20 “(B) such smaller percentage of such cost
21 as the Corporation may establish for the sec-
22 ond, third, and fourth years of such assistance
23 in order to ensure that the Federal share does
24 not exceed 50 percent of such costs for the fifth
25 year, and any subsequent year, for which the

1 State Commission receives assistance under this
2 subsection.

3 “(3) MAXIMUM AMOUNT OF ASSISTANCE.—The
4 total amount of assistance that may be provided to
5 a State Commission under this subsection for a year
6 may not exceed \$500,000.

7 “(b) DISASTER SERVICE.—The Corporation may un-
8 dertake activities to involve youth corps programs de-
9 scribed in section 122(a)(2) and other programs that re-
10 ceive assistance under the national service laws in relief
11 efforts in response to an emergency or major disaster de-
12 clared by the President under the Robert T. Stafford Dis-
13 aster Relief and Emergency Assistance Act (42 U.S.C.
14 5121 et seq.).

15 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
16 PROGRAMS.—

17 “(1) ASSISTANCE AUTHORIZED.—The Cor-
18 poration may make challenge grants under this sub-
19 section to a national service program that receives
20 assistance under section 121. The Corporation shall
21 develop criteria for the selection of challenge grant
22 recipients so as to make the grants widely available
23 to a variety of high-quality national service programs
24 with demonstrated experience in providing service

1 opportunities with visible benefits to the participants
2 and to the community served.

3 “(2) AMOUNT OF ASSISTANCE.—A challenge
4 grant under this subsection may provide not more
5 than \$1 of assistance under this subsection for each
6 \$1 in cash raised by the national service program
7 from private sources in excess of amounts required
8 to be provided by the program to satisfy matching
9 funds requirements under section 121(e). The Cor-
10 poration shall establish a ceiling on the amount of
11 assistance that may be provided to a national service
12 program under this subsection.

13 **“PART II—APPLICATION AND APPROVAL**
14 **PROCESS**

15 **“SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-**
16 **TIONAL SERVICE POSITIONS BY COMPETI-**
17 **TIVE AND OTHER MEANS.**

18 **“(a) ALLOTMENTS OF ASSISTANCE AND APPROVED**
19 **POSITIONS TO STATES AND INDIAN TRIBES.—**

20 **“(1) 33 $\frac{1}{3}$ PERCENT ALLOTMENT OF ASSIST-**
21 **ANCE CERTAIN STATES.—**Of the funds allocated by
22 the Corporation for provision of assistance under
23 subsections (a) and (b) of section 121 for a fiscal
24 year, the Corporation shall make a grant under sec-
25 tion 121(a) (and a corresponding allotment of ap-

1 proved national service positions) to each of the sev-
2 eral States, the District of Columbia, and the Com-
3 monwealth of Puerto Rico that has an application
4 approved by the Corporation under section 133. The
5 amount allotted as a grant to each such State under
6 this paragraph for a fiscal year shall be equal to the
7 amount that bears the same ratio to $33\frac{1}{3}$ percent
8 of the allocated funds for that fiscal year as the pop-
9 ulation of the State bears to the total population of
10 the several States, the District of Columbia, and the
11 Commonwealth of Puerto Rico.

12 “(2) ONE PERCENT ALLOTMENT FOR CERTAIN
13 TERRITORIES AND POSSESSIONS.—Of the funds allo-
14 cated by the Corporation for provision of assistance
15 under subsections (a) and (b) of section 121 for a
16 fiscal year, the Corporation shall reserve 1 percent
17 of the allocated funds for grants under section
18 121(a) to the Virgin Islands of the United States,
19 Guam, American Samoa, and the Commonwealth of
20 the Northern Mariana Islands upon approval of an
21 application by the Corporation under section 133.
22 Palau shall also be eligible for a grant under this
23 paragraph from the allotment until such time as the
24 Compact of Free Association with Palau is ratified.
25 The amount allotted as a grant to each such terri-

1 tory or possession under this paragraph for a fiscal
2 year shall be equal to the amount that bears the
3 same ratio to 1 percent of the allocated funds for
4 that fiscal year as the population of the territory or
5 possession bears to the total population of such ter-
6 ritories and possessions.

7 “(3) ONE PERCENT ALLOTMENT FOR INDIAN
8 TRIBES.—Of the funds allocated by the Corporation
9 for provision of assistance under subsections (a) and
10 (b) of section 121 for a fiscal year, the Corporation
11 shall reserve 1 percent of the allocated funds for
12 grants under section 121(a) to Indian tribes, to be
13 allotted by the Corporation on a competitive basis in
14 accordance with their respective needs.

15 “(4) EFFECT OF FAILURE TO APPLY.—If a
16 State or Indian tribe fails to apply for, or fails to
17 give notice to the Corporation of its intent to apply
18 for, an allotment under this subsection, the Cor-
19 poration shall use the amount that would have been
20 allotted under this subsection to the State or Indian
21 tribe—

22 “(A) to make grants (and provide ap-
23 proved national service positions in connection
24 with such grants) to other eligible entities
25 under section 121 that propose to carry out na-

1 tional service programs in the State or on be-
2 half of the Indian tribe; and

3 “(B) after making grants under paragraph
4 (1), to make a reallotment to other States and
5 Indian tribes with approved applications under
6 section 130.

7 “(b) RESERVATION OF APPROVED POSITIONS.—The
8 Corporation shall ensure that each individual selected dur-
9 ing a fiscal year for assignment as a VISTA volunteer
10 under title I of the Domestic Volunteer Service Act of
11 1973 (42 U.S.C. 4951 et seq.) or as a participant in the
12 Civilian Community Corps Demonstration Program under
13 subtitle E shall receive the national service educational
14 award described in subtitle D if the individual satisfies the
15 eligibility requirements for the award. Funds for approved
16 national service positions required by this paragraph for
17 a fiscal year shall be deducted from the total funding for
18 approved national service positions to be available for dis-
19 tribution under subsections (a) and (d) for that fiscal year.

20 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—Of
21 the funds appropriated under section 501(a)(2), and sub-
22 ject to the limitation in that section, the Corporation may
23 reserve such amount as the Corporation considers to be
24 appropriate for the purpose of making assistance available
25 under sections 125 and 126. However, the Corporation

1 may not reserve more than \$10,000,000 for a fiscal year
2 for challenge grants under section 126(c).

3 “(d) COMPETITIVE DISTRIBUTION OF REMAINING
4 FUNDS AND APPROVED POSITIONS.—

5 “(1) STATE COMPETITION.—Of the funds allo-
6 cated by the Corporation for provision of assistance
7 under subsections (a) and (b) of section 121 for a
8 fiscal year, the Corporation shall use not less than
9 $33\frac{1}{3}$ percent of the allocated funds to make grants
10 to States on a competitive basis under section
11 121(a).

12 “(2) FEDERAL AGENCIES AND OTHER APPLI-
13 CANTS.—The Corporation shall distribute on a com-
14 petitive basis to subdivisions of States, Indian tribes,
15 public and private nonprofit organizations (including
16 labor organizations), institutions of higher edu-
17 cation, and Federal agencies the remainder of the
18 funds allocated by the Corporation for provision of
19 assistance under section 121 for a fiscal year, after
20 operation of paragraph (1) and subsections (a) and
21 (c). However, the Corporation may not provide more
22 than $\frac{1}{3}$ of the funds available for competitive dis-
23 tribution under this paragraph for a fiscal year to
24 Federal agencies under section 121(b).

1 “(3) LIMITATIONS.—The Corporation may limit
2 the categories of eligible applicants for assistance
3 under paragraph (2) consistent with the priorities
4 established by the Corporation under section
5 133(d)(2).

6 “(e) APPLICATION REQUIRED.—The allotment of as-
7 sistance and approved national service positions to a State
8 or Indian tribe under subsection (a), and the competitive
9 distribution of assistance and approved national service
10 positions under subsection (d), shall be made by the Cor-
11 poration only pursuant to an application submitted by a
12 State or other applicant under section 130 and approved
13 by the Corporation under section 133.

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

23 “(g) SPONSORSHIP OF APPROVED NATIONAL SERV-
24 ICE POSITIONS.—

1 “(1) SPONSORSHIP AUTHORIZED.—The Cor-
2 poration may enter into agreements with persons or
3 entities who offer to sponsor national service posi-
4 tions for which the person or entity will be respon-
5 sible for supplying the funds necessary to provide a
6 national service educational award. The distribution
7 of these approved national service positions shall be
8 made pursuant to the agreement, and the creation
9 of these positions shall not be taken into consider-
10 ation in determining the number of approved na-
11 tional service positions to be available for dis-
12 tribution under this section.

13 “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-
14 vided pursuant to an agreement under paragraph
15 (1) and any other funds contributed to the Cor-
16 poration to support the activities of the Corporation
17 under the national service laws shall be deposited in
18 the National Service Trust established in section
19 145 until such time as the funds are needed.

20 **“SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**
21 **NATIONAL SERVICE POSITIONS.**

22 “(a) TIME, MANNER, AND CONTENT OF APPLICA-
23 TION.—To be eligible to receive assistance under section
24 121 and approved national service positions for partici-
25 pants who serve in the national service programs to be

1 carried out using the assistance, a State, subdivision of
2 a State, Indian tribe, public or private nonprofit organiza-
3 tion, institution of higher education, or Federal agency
4 shall prepare and submit to the Corporation an application
5 at such time, in such manner, and containing such infor-
6 mation as the Corporation may reasonably require.

7 “(b) TYPES OF APPLICATION INFORMATION.—In
8 order to have adequate information upon which to consider
9 an application under section 133, the Corporation may re-
10 quire the following information to be provided in an appli-
11 cation submitted under subsection (a):

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

15 “(2) A description of the national service pro-
16 grams that are selected by the applicant to receive
17 a grant from assistance requested under section 121
18 and a description of the process and criteria by
19 which the programs were selected, unless such a
20 process conflicts with State or local law, regulation,
21 or policy.

22 “(3) A description of other funding sources to
23 be used, or sought to be used, for the national serv-
24 ice programs referred to in paragraphs (1) and (2),
25 and, if the application is submitted for the purpose

1 of seeking a renewal of assistance, a description of
2 the success of the programs in not increasing their
3 reliance on funds provided under this Act.

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

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

14 “(6) A description of the manner in which the
15 national service programs referred to in paragraphs
16 (1) and (2) build on existing programs, including
17 Federal programs;

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

21 “(A) in projects that build an ethic of civic
22 responsibility and produce a positive change in
23 the lives of participants through training and
24 participation in meaningful service experiences

1 and opportunities for reflection on such experi-
2 ences; and

3 “(B) in leadership positions in implement-
4 ing and evaluating the program.

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

8 “(A) the impact to be made in meeting
9 unmet human, educational, environmental, or
10 public safety needs; and

11 “(B) the service experience to be provided
12 to participants in the programs.

13 “(9) A description of the manner and extent to
14 which the national service programs referred to in
15 paragraphs (1) and (2) conform to the national serv-
16 ice priorities established by the Corporation under
17 section 122(c).

18 “(10) A description of the past experience of
19 the applicant in operating a comparable program or
20 in conducting a grant program in support of other
21 comparable service programs.

22 “(11) A description of the type and number of
23 proposed service positions in which participants will
24 receive the national service educational award de-
25 scribed in subtitle D and a description of the man-

1 ner in which approved national service positions will
2 be apportioned by the applicant.

3 “(12) A description of the manner and extent
4 to which participants, representatives of the commu-
5 nity served, community-based agencies with a dem-
6 onstrated record of experience in providing services,
7 and labor organizations contributed to the develop-
8 ment of the national service programs referred to in
9 paragraphs (1) and (2), including the identity of the
10 individual representing each appropriate labor orga-
11 nization (if any) who was consulted and the nature
12 of the consultation.

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

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

17 “(1) APPLICABILITY OF SUBSECTION.—This
18 subsection shall apply in the case of an application
19 in which—

20 “(A) the applicant is not seeking assist-
21 ance under subsection (a) or (b) of section 121,
22 but requests national service educational
23 awards for individuals serving in service posi-
24 tions described in section 123; or

1 “(B) the applicant requests national serv-
2 ice educational awards for service positions de-
3 scribed in section 123, but the positions are not
4 positions in a national service program de-
5 scribed in section 122(a) for which assistance
6 may be provided under subsection (a) or (b) of
7 section 121.

8 “(2) SPECIAL APPLICATION REQUIREMENTS.—
9 For the applications described in paragraph (1), the
10 Corporation shall establish special application re-
11 quirements in order to determine—

12 “(A) whether the service positions meet
13 unmet human, educational, environmental, or
14 public safety needs and meet the criteria for as-
15 sistance under this subtitle; and

16 “(B) whether the Corporation should ap-
17 prove the positions as approved national service
18 positions that include the national service edu-
19 cational award described in subtitle D as one of
20 the benefits to be provided for successful service
21 in the position.

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

23 “(1) SUBMISSION BY STATE COMMISSION.—The
24 application of a State for approved national service

1 positions or for a grant under section 121(a) shall
2 be submitted by the State Commission.

3 “(2) COMPETITIVE SELECTION.—The applica-
4 tion of a State shall contain an assurance that all
5 assistance provided under section 121(a) to the
6 State will be used to support national service pro-
7 grams that were selected by the State on a competi-
8 tive basis. In making such competitive selections, the
9 State shall seek to ensure the equitable allocation
10 within the State of assistance and approved national
11 service positions provided under this subtitle to the
12 State taking into consideration such factors as the
13 location of the programs applying to the State, pop-
14 ulation density, and economic distress.

15 “(3) ASSISTANCE TO NONSTATE ENTITIES.—
16 The application of a State shall also contain an as-
17 surance that not less than 60 percent of the assist-
18 ance will be used to make grants in support of na-
19 tional service programs other than national service
20 programs carried out by a State agency. The Cor-
21 poration may permit a State to deviate from the per-
22 centage specified by this subsection if the State has
23 not received a sufficient number of acceptable appli-
24 cations to comply with the percentage.

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

1 “(1) WRITTEN CONCURRENCE.—In the case of
2 a program applicant that proposes to also serve as
3 the service sponsor, the application shall include the
4 written concurrence of any local labor organization
5 representing employees of the service sponsor who
6 are engaged in the same or substantially similar
7 work as that proposed to be carried out.

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

11 “(A) a State, subdivision of a State, Indian
12 tribe, public or private nonprofit organization,
13 institution of higher education, or Federal
14 agency submitting an application under this
15 section; or

16 “(B) an entity applying for assistance or
17 approved national service positions through a
18 grant program conducted using assistance pro-
19 vided to a State, subdivision of a State, Indian
20 tribe, public or private nonprofit organization,
21 institution of higher education, or Federal
22 agency under section 121.

23 “(f) LIMITATION ON SAME PROJECT IN MULTIPLE
24 APPLICATIONS.—The Corporation shall reject an applica-
25 tion submitted under this section if a project proposed to

1 be conducted using assistance requested by the applicant
2 is already described in another application pending before
3 the Corporation.

4 **"SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE**
5 **REQUIREMENTS.**

6 “(a) **IMPACT ON COMMUNITIES.**—An application sub-
7 mitted under section 130 shall include an assurance by
8 the applicant that any national service program carried
9 out by the applicant using assistance provided under sec-
10 tion 121 and any national service program supported by
11 a grant made by the applicant using such assistance will—

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

16 “(2) comply with the nonduplication and
17 nondisplacement requirements of section 177.

18 “(b) **IMPACT ON PARTICIPANTS.**—An application
19 submitted under section 130 shall also include an assur-
20 ance by the applicant that any national service program
21 carried out by the applicant using assistance provided
22 under section 121 and any national service program sup-
23 ported by a grant made by the applicant using such assist-
24 ance will—

1 “(1) provide participants in the national service
2 program with the training, skills, and knowledge
3 necessary for the projects that participants are
4 called upon to perform; and

5 “(2) provide support services to participants,
6 such as the provision of appropriate information and
7 support—

8 “(A) to those participants who are com-
9 pleting a term of service and making the transi-
10 tion to other educational and career opportuni-
11 ties; and

12 “(B) to those participants who are school
13 dropouts in order to assist those participants in
14 earning the equivalent of a high school diploma.

15 “(c) CONSULTATION.—An application submitted
16 under section 130 shall also include an assurance by the
17 applicant that any national service program carried out
18 by the applicant using assistance provided under section
19 121 and any national service program supported by a
20 grant made by the applicant using such assistance will—

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

23 “(A) the community served and potential
24 participants in the program; and

1 “(B) community-based agencies with a
2 demonstrated record of experience in providing
3 services and local labor organizations rep-
4 resenting employees of service sponsors, if these
5 entities exist in the area to be served by the
6 program;

7 “(2) prior to the placement of participants, con-
8 sult with any local labor organization representing
9 employees in the area who are engaged in the same
10 or similar work as that proposed to be carried out
11 by such program to ensure compliance with the
12 nondisplacement requirements specified in section
13 177; and

14 “(3) in the case of a program that is not fund-
15 ed through a State, consult with and coordinate ac-
16 tivities with the State Commission for the State in
17 which the program operates.

18 “(d) EVALUATION AND PERFORMANCE GOALS.—

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

22 “(A) arrange for an independent evalua-
23 tion of any national service program carried out
24 using assistance provided to the applicant under
25 section 121 or, with the approval of the Cor-

1 poration, conduct an internal evaluation of the
2 program;

3 “(B) apply measurable performance goals
4 and evaluation methods (such as the use of sur-
5 veys of participants and persons served), which
6 are to be used as part of such evaluation to de-
7 termine the impact of the program—

8 “(i) on communities and persons
9 served by the projects performed by the
10 program;

11 “(ii) on participants who take part in
12 the projects; and

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

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

17 “(2) EVALUATION.—Subject to paragraph (3),
18 the Corporation shall develop evaluation criteria and
19 performance goals applicable to all national service
20 programs carried out with assistance provided under
21 section 121.

22 “(3) ALTERNATIVE EVALUATION REQUIRE-
23 MENTS.—The Corporation may establish alternative
24 evaluation requirements for national service pro-
25 grams based upon the amount of assistance received

1 under section 121 or received by a grant made by
2 a recipient of assistance under such section. The de-
3 termination of whether a national service program is
4 covered by this paragraph shall be made in such
5 manner as the Corporation may prescribe.

6 “(e) LIVING ALLOWANCES AND OTHER INSERVICE
7 BENEFITS.—Except as provided in section 140(c), an ap-
8 plication submitted under section 124 shall also include
9 an assurance by the applicant that the applicant will—

10 “(1) ensure the provision of a living allowance
11 and other benefits specified in section 140 to partici-
12 pants in any national service program carried out by
13 the applicant using assistance provided under section
14 121; and

15 “(2) require that each national service program
16 that receives a grant from the applicant using such
17 assistance will also provide a living allowance and
18 other benefits specified in section 140 to participants
19 in the program.

20 “(f) SELECTION OF PARTICIPANTS FROM INDIVID-
21 UALS RECRUITED BY CORPORATION OR STATE COMMIS-
22 SIONS.—The Corporation may also require an assurance
23 by the applicant that any national service program carried
24 out by the applicant using assistance provided under sec-
25 tion 121 and any national service program supported by

1 a grant made by the applicant using such assistance will
2 select a portion of the participants for the program from
3 among prospective participants recruited by the Cor-
4 poration or State Commissions under section 138(d). The
5 Corporation may specify a minimum percentage of partici-
6 pants to be selected from the national leadership pool es-
7 tablished under section 138(e) and may vary the percent-
8 age for different types of national service programs. In
9 the case of programs conducted by a State or subdivision
10 of a State, the Corporation shall permit the State or sub-
11 division to select only residents of that State if such a re-
12 strictive selection procedure is necessary to comply with
13 State or local law, regulation, or policy.

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

15 "An application submitted to the Corporation under
16 section 130 shall include an assurance by the applicant
17 that any national service program carried out using assist-
18 ance provided under section 121 and any approved na-
19 tional service position provided to an applicant will not be
20 used to perform service that provides a direct benefit to
21 any—

22 "(1) business organized for profit;

23 "(2) labor union;

24 "(3) partisan political organization; or

1 “(4) organization engaged in religious activities,
2 unless such service does not involve the use of assist-
3 ance provided under section 121 or participants to
4 give religious instruction, conduct worship services,
5 or engage in any form of proselytization.

6 **“SEC. 133. CONSIDERATION OF APPLICATIONS.**

7 “(a) CORPORATION CONSIDERATION OF CERTAIN
8 CRITERIA.—The Corporation shall apply the criteria de-
9 scribed in subsections (c) and (d) in determining
10 whether—

11 “(1) to approve an application submitted under
12 section 130 and provide assistance under section
13 121 to the applicant; and

14 “(2) to approve service positions described in
15 the application as national service positions that in-
16 clude the national service educational award de-
17 scribed in subtitle D and provide such approved na-
18 tional service positions to the applicant.

19 “(b) APPLICATION TO SUBGRANTS.—A State or
20 other entity that uses assistance provided under section
21 121(a) to support national service programs selected on
22 a competitive basis to receive a share of the assistance
23 shall use the criteria described in subsections (c) and (d)
24 when considering an application submitted by a national
25 service program to receive a portion of such assistance or

1 an approved national service position. The application of
2 the State or other entity under section 130 shall contain
3 a certification that the State or other entity complied with
4 these criteria in the selection of national service programs
5 to receive assistance.

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

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

12 “(2) The innovative aspects of the national
13 service program, and the feasibility of replicating the
14 program.

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

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

19 “(B) of multiple funding sources or private
20 funding for the program.

21 “(4) The quality of the leadership of the na-
22 tional service program, the past performance of the
23 program, and the extent to which the program
24 builds on existing programs.

1 “(5) The extent to which participants of the na-
2 tional service program are recruited from among
3 residents of the communities in which projects are to
4 be conducted, and the extent to which participants
5 and community residents are involved in the design,
6 leadership, and operation of the program.

7 “(6) The extent to which projects would be con-
8 ducted in the following areas where they are needed
9 most—

10 “(A) communities designated as enterprise
11 zones or redevelopment areas, targeted for spe-
12 cial economic incentives, or otherwise identifi-
13 able as having high concentrations of low-in-
14 come people;

15 “(B) areas that are environmentally dis-
16 tressed;

17 “(C) areas adversely affected by Federal
18 actions related to the management of Federal
19 lands that result in significant regional job
20 losses and economic dislocation;

21 “(D) areas adversely affected by reductions
22 in defense spending or the closure or realign-
23 ment of military installations;

1 “(E) rural areas adversely affected by un-
2 fair trading practices of international competi-
3 tors of the United States; or

4 “(F) areas that have an unemployment
5 rate greater than the national average unem-
6 ployment for the most recent 12 months for
7 which satisfactory data are available.

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

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

14 “(d) OTHER CONSIDERATIONS.—

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

21 “(2) PRIORITIES.—The Corporation may des-
22 ignate, under such criteria as may be established by
23 the Corporation, certain national service programs
24 or types of national service programs described in
25 section 122(a) for priority consideration in the com-

1 petitive distribution of funds under section
2 129(d)(2). In designating national service programs
3 to receive priority, the Corporation may include—

4 “(A) national service programs carried out
5 by another Federal agency;

6 “(B) national service programs that con-
7 form to the national service priorities in effect
8 under section 122(c);

9 “(C) innovative national service programs;

10 “(D) national service programs that are
11 well established in one or more States at the
12 time of the application and are proposed to be
13 expanded to additional States using assistance
14 provided under section 121;

15 “(E) grant programs in support of other
16 national service programs if the grant programs
17 are to be conducted by nonprofit organizations
18 with a demonstrated and extensive expertise in
19 the provision of services to meet human, edu-
20 cational, environmental, or public safety needs;
21 and

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

24 “(e) EMPHASIS ON AREAS MOST IN NEED.—In mak-
25 ing assistance available under section 121 and in providing

1 approved national service positions under section 123, the
2 Corporation shall ensure that not less than 50 percent of
3 the total amount of assistance to be distributed to States
4 under subsections (a) and (d)(1) of section 129 for a fiscal
5 year are provided to carry out or support national service
6 programs and projects that—

7 “(1) are conducted in areas of economic dis-
8 tress described in subsection (c)(6) or on Federal or
9 other public lands to address unmet human, edu-
10 cational, environmental, or public safety needs in
11 such areas; and

12 “(2) place a priority on the recruitment of par-
13 ticipants who are residents of areas of economic dis-
14 tress described in subsection (c)(6) or Federal or
15 other public lands.

16 “(f) REJECTION OF STATE APPLICATIONS.—

17 “(1) NOTIFICATION OF STATE APPLICANTS.—If
18 the Corporation rejects an application submitted by
19 a State Commission under section 130 for funds de-
20 scribed in section 129(a)(1), the Corporation shall
21 promptly notify the State Commission of the reasons
22 for the rejection of the application.

23 “(2) RESUBMISSION AND RECONSIDERATION.—

24 The Corporation shall provide a State Commission
25 notified under paragraph (1) with a reasonable op-

1 portunity to revise and resubmit the application. At
2 the request of the State Commission, the Cor-
3 poration shall provide technical assistance to the
4 State Commission as part of the resubmission proc-
5 ess. The Corporation shall promptly reconsider an
6 application resubmitted under this paragraph.

7 “(3) REALLOTMENT.—The amount of any
8 State’s allotment under section 129(a) for a fiscal
9 year that the Corporation determines will not be
10 provided for that fiscal year shall be available for
11 distribution by the Corporation as provided in para-
12 graph (4) of such subsection.

13 **“SEC. 134. EVALUATION OF SUCCESS OF INVESTMENT IN**
14 **NATIONAL SERVICE.**

15 “(a) EVALUATION REQUIRED.—Not later than two
16 years after the date of the enactment of this section, the
17 Corporation shall arrange for the independent evaluation
18 of the operation of this subtitle to determine the levels
19 of participation of economically disadvantaged individuals
20 in national service programs carried out or supported
21 using assistance provided under section 121.

22 “(b) PERIOD COVERED BY EVALUATION.—The eval-
23 uation required by this section shall cover the two-year
24 period beginning on the date the Corporation first makes
25 a grant under section 121.

1 “(c) INCOME LEVELS OF PARTICIPANTS.—The evalu-
2 ating entity shall determine the total income of each par-
3 ticipant who serves, during the period covered by the eval-
4 uation, in a national service program carried out or sup-
5 ported using assistance provided under section 121 or in
6 an approved national service position. The total income
7 of a participant shall be determined as of the date the
8 participant was first selected to participate and shall in-
9 clude family total income unless the evaluating entity de-
10 termines that the participant was independent at the time
11 of selection.

12 “(d) ASSISTANCE FOR DISTRESSED AREAS.—The
13 evaluating entity shall also determine the amount of as-
14 sistance provided under section 121 during the period cov-
15 ered by the report that has been expended for projects
16 conducted in areas of economic distress described in sec-
17 tion 133(c)(6)

18 “(e) REPORT.—The evaluating entity shall submit a
19 report containing the results of the evaluation to the
20 President, the Congress, the Corporation, and each State
21 Commission.

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

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

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

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

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

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

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

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

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

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

19 “(5) has received a high school diploma or its
20 equivalent, agrees to obtain a high school diploma or
21 its equivalent (unless this requirement is waived
22 based on an individual education assessment con-
23 ducted by the program) and the individual did not
24 drop out of an elementary or secondary school to en-
25 roll in the program, or is enrolled in an institution

1 of higher education on an ability to benefit basis and
2 is considered eligible for funds under section 484 of
3 the Higher Education Act of 1965 (20 U.S.C.
4 1091); and

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

7 “(b) SPECIAL RULES FOR CERTAIN YOUTH PRO-
8 GRAMS.—An individual shall be considered to be a partici-
9 pant in a youth corps program described in section
10 122(a)(2) or a program described in section 122(a)(9)
11 that is carried out with assistance provided under section
12 121(a) if the individual—

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

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

19 **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-**
20 **PANTS.**

21 “(a) SELECTION PROCESS.—Subject to subsections
22 (b) and (c) and section 131(f), the actual recruitment and
23 selection of an individual to serve in a national service pro-
24 gram receiving assistance under section 121 or to fill an
25 approved national service position shall be conducted by

1 the State, subdivision of a State, Indian tribe, public or
2 private nonprofit organization, institution of higher edu-
3 cation, Federal agency, or other entity to which the assist-
4 ance and approved national service positions are provided.

5 “(b) NONDISCRIMINATION AND NONPOLITICAL SE-
6 LECTION OF PARTICIPANTS.—The recruitment and selec-
7 tion of individuals to serve in national service programs
8 receiving assistance under section 121 or to fill approved
9 national service positions shall be consistent with the re-
10 quirements of section 175.

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

15 “(d) RECRUITMENT AND PLACEMENT.—The Cor-
16 poration and each State Commission shall establish a sys-
17 tem to recruit individuals who desire to perform national
18 service and to assist the placement of these individuals in
19 approved national service positions, including positions
20 available under titles I and II of the Domestic Volunteer
21 Service Act of 1973 (42 U.S.C. 4951 et seq.). The Cor-
22 poration and State Commissions shall disseminate infor-
23 mation regarding available approved national service posi-
24 tions through cooperation with secondary schools, institu-
25 tions of higher education, employment service offices, vo-

1 cational rehabilitation agencies and other State offices
2 that serve primarily people with disabilities, and other ap-
3 propriate entities, particularly those organizations that
4 provide outreach to disadvantaged youths and youths with
5 disabilities.

6 “(e) NATIONAL LEADERSHIP POOL.—

7 “(1) SELECTION AND TRAINING.—From among
8 individuals recruited under subsection (d), the Cor-
9 poration may select individuals with significant lead-
10 ership potential, as determined by the Corporation,
11 to receive special training to enhance their leader-
12 ship ability. The leadership training shall be pro-
13 vided by the Corporation directly or through a grant
14 or contract.

15 “(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In
16 selecting individuals to receive leadership training
17 under this subsection, the Corporation shall make
18 special efforts to select individuals who have served
19 in the Peace Corps, as VISTA volunteers, as partici-
20 pants in a program under title II of the Domestic
21 Volunteer Service Act of 1973 (42 U.S.C. 5000 et
22 seq.), or as participants in national service programs
23 receiving assistance under section 121, or who are
24 honorably discharged members of the Armed Forces
25 of the United States.

1 “(3) ASSIGNMENT.—At the request of a pro-
2 gram that receives assistance under the national
3 service laws, the Corporation may assign an individ-
4 ual who receives leadership training under para-
5 graph (1) to work with the program in a leadership
6 position and carry out assignments not otherwise
7 performed by regular participants. An individual as-
8 signed to a program shall be considered to be a par-
9 ticipant of the program.

10 “(f) EVALUATION OF SERVICE.—The Chairperson
11 shall issue regulations regarding the manner and criteria
12 by which the service of a participant shall be evaluated
13 to determine whether the service is satisfactory and suc-
14 cessful for purposes of eligibility for a second term of serv-
15 ice or a national service educational award.

16 **“SEC. 139. TERMS OF SERVICE.**

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

22 “(b) TERM OF SERVICE.—

23 “(1) FULL-TIME SERVICE.—An individual per-
24 forming full-time national service in an approved na-
25 tional service position shall agree to participate in

1 the program sponsoring the position for not less
2 than 1,700 hours during a period of not less than
3 9 months and not more than 1 year.

4 “(2) PART-TIME SERVICE.—Except as provided
5 in paragraph (3), an individual performing part-time
6 national service in an approved national service posi-
7 tion shall agree to participate in the program spon-
8 soring the position for not less than 1,700 hours
9 during a period of—

10 “(A) not less than 1 year and not more
11 than 2 years; or

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

16 “(3) REDUCTION IN HOURS OF PART-TIME
17 SERVICE.—The Corporation may reduce the number
18 of hours required to be served to successfully com-
19 plete part-time national service to a level determined
20 by the Corporation, except that any reduction in the
21 required term of service shall include a cor-
22 responding reduction in the amount of any national
23 service educational award that may be available
24 under subtitle D with regard to that service.

1 “(c) RELEASE FROM COMPLETING TERM OF SERV-
2 ICE.—

3 “(1) RELEASE AUTHORIZED.—A recipient of
4 assistance under section 121 or a program sponsor-
5 ing an approved national service position may re-
6 lease a participant from completing a term of service
7 in the position—

8 “(A) for compelling personal circumstances
9 as demonstrated by the participant; or

10 “(B) for cause.

11 “(2) EFFECT OF RELEASE FOR COMPELLING
12 CIRCUMSTANCES.—If a participant eligible for re-
13 lease under paragraph (1)(A) is serving in an ap-
14 proved national service position, the recipient of as-
15 sistance under section 121 or a program sponsoring
16 an approved national service position may elect—

17 “(A) to grant such release and provide to
18 the participant that portion of the national
19 service educational award corresponding to the
20 portion of the term of service actually com-
21 pleted, as provided in section 147(b); or

22 “(B) to permit the participant to tempo-
23 rarily suspend performance of the term of serv-
24 ice for a period of up to 2 years (and such addi-
25 tional period as the Corporation may allow for

1 extenuating circumstances) and, upon comple-
2 tion of such period, to allow return to the pro-
3 gram with which the individual was serving in
4 order to complete the remainder of the term of
5 service and obtain the entire national service
6 educational award.

7 “(3) EFFECT OF RELEASE FOR CAUSE.—A par-
8 ticipant released for cause may not receive any por-
9 tion of the national service educational award.

10 **“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**
11 **PARTICIPANTS.**

12 “(a) PROVISION OF LIVING ALLOWANCE.—

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

21 “(2) LIMITATION ON FEDERAL SHARE.—The
22 amount of the annual living allowance provided
23 under paragraph (1) that may be paid using assist-
24 ance provided under section 121 and using any other
25 Federal funds shall not exceed 85 percent of the

1 total average annual provided to VISTA volunteers
2 under section 105 of the Domestic Volunteer Service
3 Act of 1973 (42 U.S.C. 4955).

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) WAIVER OR REDUCTION OF LIVING AL-
18 LOWANCE.—The Corporation may waive or reduce
19 the requirement of paragraph (1) with respect to
20 such national service program if it is demonstrated
21 that to provide the living allowance required by such
22 paragraph would cause undue hardship to such pro-
23 gram.

24 “(6) EVALUATION OF LIVING ALLOWANCE.—
25 Not later than 2 years after the effective date of this

1 subsection, the Corporation shall arrange for an
2 independent evaluation to determine the levels of liv-
3 ing allowances paid in all programs under this sub-
4 title, individually, by State, and by region. Such
5 evaluation shall determine the effects that such liv-
6 ing allowances have had on the ability of individuals
7 to participate in such programs.

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

19 “(1) the total average annual subsistence allow-
20 ance provided to VISTA volunteers under section
21 105 of the Domestic Volunteer Service Act of 1973
22 (42 U.S.C. 4955); and

23 “(2) the annual living allowance established by
24 the program.

1 “(c) EXCEPTION FROM MAXIMUM LIVING ALLOW-
2 ANCE FOR CERTAIN ASSISTANCE.—A professional corps
3 program described in section 122(a)(8) that desires to
4 provide or arrange for a living allowance in excess of the
5 maximum allowance authorized in subsection (a)(3) may
6 still apply for such assistance, except that—

7 “(1) any assistance provided to the applicant
8 under section 121 may not be used to pay for any
9 portion of the allowance;

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

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

17 “(d) HEALTH INSURANCE.—

18 “(1) IN GENERAL.—A State or other recipient
19 of assistance under section 121 shall provide a basic
20 health care policy for each full-time participant in a
21 national service program carried out or supported
22 using the assistance if the participant is not other-
23 wise covered by a health care policy. Not more than
24 85 percent of the cost of a premium shall be pro-
25 vided by the Corporation, with the remaining cost

1 paid by the entity receiving assistance under section
2 121. The Corporation shall establish minimum
3 standards that all plans must meet in order to qual-
4 ify for payment under this part, any circumstances
5 in which an alternative health care policy may be
6 substituted for the basic health care policy, and
7 mechanisms to prohibit participants from dropping
8 existing coverage.

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

22 “(e) CHILD CARE.—

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

1 “(A) make child care available for children
2 of each full-time participant who serves in a na-
3 tional service program carried out or supported
4 by the recipient using the assistance, including
5 individuals who need such child care in order to
6 participate in the program; or

7 “(B) provide a child care allowance to each
8 full-time participant in a national service pro-
9 gram who needs such assistance in order to
10 participate in the program.

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

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

21 “(g) WAIVER OF LIMITATION ON FEDERAL
22 SHARE.—The Corporation may waive in whole or in part
23 the limitation on the Federal share specified in this section
24 with respect to a particular national service program in
25 any fiscal year if the Corporation determines that such

1 a waiver would be equitable due to a lack of available fi-
2 nancial resources at the local level.

3 **"SEC. 141. NATIONAL SERVICE EDUCATIONAL AWARDS.**

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

9 “(1) serves in an approved national service po-
10 sition; and

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

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

20 (c) **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—

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

“Subtitle C—National Service Trust Program

“PART I—INVESTMENT IN NATIONAL SERVICE

- “Sec. 121. Authority to provide assistance and approved national service positions.
- “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. 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) LIVING ALLOWANCE UNDER SUBTITLE I.—Sec-
- 4 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.

21 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

22 (1) REFERENCES.—Subtitle I of title I of the
23 National and Community Service Act of 1990 (as so
24 redesignated by subsection (a)(1) of this section) is
25 amended by striking “Commission” each place it ap-

1 pears in sections 199A, 199B, 199C, 199D, 199F,
2 199H, 199I, 199M, and 199N (as redesignated in
3 subsection (a)(3) of this section) and inserting “Cor-
4 poration”.

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

8 (A) by striking “under section 102”; and

9 (B) by striking “, to the Secretary of the
10 Interior, or to the Director of ACTION” and
11 inserting “or to the Secretary of the Interior”.

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

17 (4) STATE APPLICATION.—Section 199C(a) of
18 such Act (as redesignated in subsection (a)(3) of
19 this section) (42 U.S.C. 12543(a)) is amended by
20 striking “section 122(b)” and inserting “199B(b)”.

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

1 (6) PREFERENCE.—Section 199I(a) of such Act
2 (as redesignated in subsection (a)(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)(2), 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) SUSPENSION OF ELIGIBILITY FOR DRUG-RE-
10 LATED OFFENSES.—

11 “(1) IN GENERAL.—An individual who, after
12 qualifying under this section as an eligible individ-
13 ual, has been convicted under any Federal or State
14 law of the possession or sale of a controlled sub-
15 stance shall not be eligible to receive a national serv-
16 ice educational award during the period beginning
17 on the date of such conviction and ending after the
18 interval specified in the following table:

“If convicted of:

The possession of a controlled substance:	Ineligibility period is:
1st conviction	1 year
2nd conviction	2 years
3rd conviction	indefinite
The sale of a controlled substance:	
1st conviction	2 years
2nd conviction	indefinite

1 “(2) REHABILITATION.—An individual whose
2 eligibility has been suspended under paragraph (1)
3 shall resume eligibility before the end of the period
4 determined under such paragraph if the individual
5 satisfactorily completes a drug rehabilitation pro-
6 gram that complies with such criteria as the Cor-
7 poration shall prescribe for purposes of this para-
8 graph.

9 “(3) FIRST CONVICTIONS.—An individual
10 whose eligibility has been suspended under para-
11 graph (1) and is convicted of his or her first offense
12 may resume eligibility before the end of the period
13 determined under such paragraph if the student
14 demonstrates that he or she has enrolled or been ac-
15 cepted for enrollment in a drug rehabilitation pro-
16 gram that complies with such criteria as the Cor-
17 poration shall prescribe for purposes of this sub-
18 section.

19 “(4) DEFINITIONS.—As used in this subsection,
20 the term ‘controlled substance’ has the meaning

1 given in section 102(6) of the Controlled Substances
2 Act (21 U.S.C. 802(6)).

3 “(5) EFFECTIVE DATE.—This subsection shall
4 be effective upon publication by the Corporation in
5 the Federal Register of criteria prescribed under
6 paragraph (2) of this subsection.

7 “(f) AUTHORITY TO ESTABLISH DEMONSTRATION
8 PROGRAMS.—The Corporation may establish by regulation
9 demonstration programs for the creation and evaluation
10 of innovative volunteer and community service programs.

11 **“SEC. 147. DETERMINATION OF THE AMOUNT OF THE NA-**
12 **TIONAL SERVICE EDUCATIONAL AWARD.**

13 “(a) AMOUNT GENERALLY.—Except as provided in
14 subsection (b), an individual described in section 146(a)
15 who successfully completes a required term of service in
16 an approved national service position shall receive a na-
17 tional service educational award having a value equal to
18 \$5,000 for each of not more than 2 of such terms of serv-
19 ice.

20 “(b) AWARD FOR PARTIAL COMPLETION OF SERV-
21 ICE.—If an individual serving in an approved national
22 service position is released in accordance with section
23 139(c)(1)(A) from completing the term of service agreed
24 to by the individual, the Corporation may provide the indi-
25 vidual with that portion of the national service educational

1 award approved for the individual that corresponds to the
2 quantity of the term of service actually completed by the
3 individual.

4 **"SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDU-**
5 **CATIONAL AWARDS.**

6 "(a) IN GENERAL.—Amounts in the Trust shall be
7 available—

8 "(1) to repay student loans in accordance with
9 subsection (b);

10 "(2) to pay all or part of the cost of attendance
11 at an institution of higher education in accordance
12 with subsection (c);

13 "(3) to pay expenses incurred in participating
14 in an approved school-to-work program in accord-
15 ance with subsection (d); and

16 "(4) to pay interest expenses in accordance with
17 regulations prescribed pursuant to subsection (e).

18 "(b) USE OF EDUCATIONAL AWARD TO REPAY OUT-
19 STANDING STUDENT LOANS.—

20 "(1) APPLICATION BY ELIGIBLE INDIVID-
21 UALS.—An eligible individual under section 146 who
22 desires to apply his or her national service edu-
23 cational award to the repayment of qualified student
24 loans shall submit, in a manner prescribed by the

1 Corporation, an application to the Corporation
2 that—

3 “(A) identifies, or permits the Corporation
4 to identify readily, the holder or holders of such
5 loans;

6 “(B) indicates, or permits the Corporation
7 to determine readily, the amounts of principal
8 and interest outstanding on the loans;

9 “(C) specifies, if the outstanding balance is
10 greater than the amount disbursed under para-
11 graph (2), which of the loans the individual pre-
12 fers to be paid by the Corporation; and

13 “(D) contains or is accompanied by such
14 other information as the Corporation may re-
15 quire.

16 “(2) DISBURSEMENT OF REPAYMENTS.—Upon
17 receipt of an application from an eligible individual
18 of an application that complies with paragraph (1),
19 the Corporation shall, as promptly as practicable
20 consistent with paragraph (5), disburse the amount
21 of the national service educational award to which
22 the eligible individual is entitled. Such disbursement
23 shall be made by check or other means that is pay-
24 able to the holder of the loan and requires the en-

1 dorsement or other certification by the eligible indi-
2 vidual.

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

8 “(4) REPORTS BY HOLDERS.—Any holder re-
9 ceiving a loan payment pursuant to this subsection
10 shall submit to the Corporation such information as
11 the Corporation may require to verify that such pay-
12 ment was applied in accordance with this subsection
13 and any regulations prescribed to carry out this sub-
14 section.

15 “(5) NOTIFICATION OF INDIVIDUAL.—The Cor-
16 poration upon disbursing the national service edu-
17 cational award, shall notify the individual of the
18 amount paid for each outstanding loan and the date
19 of payment.

20 “(6) AUTHORITY TO AGGREGATE PAYMENTS.—
21 The Corporation may, by regulation, provide for the
22 aggregation of payments to holders under this sub-
23 section.

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

1 “(A) any loan made, insured, or guaran-
2 teed pursuant to title IV of the Higher Edu-
3 cation Act of 1965 (20 U.S.C. 1070 et seq.),
4 other than a loan to a parent of a student pur-
5 suant to section 428B of such Act (20 U.S.C.
6 1078–2); and

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

10 “(8) DEFINITION OF HOLDER.—The term
11 ‘holder’ with respect to any eligible loan means the
12 original lender or, if the loan is subsequently sold,
13 transferred, or assigned to some other person, and
14 such other person acquires a legally enforceable
15 right to receive payments from the borrower, such
16 other person.

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

19 “(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—
20 An eligible individual under section 146 who desires
21 to apply his or her national service educational
22 award to the payment of current full-time or part-
23 time educational expenses shall, on a form pre-
24 scribed by the Corporation, submit an application to
25 the institution of higher education in which the stu-

1 dent will be enrolled that contains such information
2 as the Corporation may require to verify the individ-
3 ual's eligibility.

4 “(2) SUBMISSION OF REQUESTS FOR PAYMENT
5 BY INSTITUTIONS.—An institution of higher edu-
6 cation that receives one or more applications that
7 comply with paragraph (1) shall submit to the Cor-
8 poration a statement, in a manner prescribed by the
9 Corporation, that—

10 “(A) identifies each eligible individual fil-
11 ing an application under paragraph (1) for a
12 disbursement of the individual's national service
13 educational award under this subsection;

14 “(B) specifies the amounts for which such
15 eligible individuals are, consistent with para-
16 graph (6), qualified for disbursement under this
17 subsection;

18 “(C) certifies that (i) the institution of
19 higher education has in effect a program par-
20 ticipation agreement under section 487 of the
21 Higher Education Act of 1965 (20 U.S.C.
22 1094), and (ii) the institution's eligibility to
23 participate in any of the programs under title
24 IV of such Act (20 U.S.C. 1070 et seq.) has not
25 been limited, suspended, or terminated; and

1 “(D) contains such provisions concerning
2 financial compliance as the Corporation may re-
3 quire.

4 “(3) DISBURSEMENT OF PAYMENTS.—Upon re-
5 ceipt of a statement from an institution of higher
6 education that complies with paragraph (2), the Cor-
7 poration shall, subject to paragraph (4), disburse the
8 total amount of the national service educational
9 awards for which eligible individuals who have sub-
10 mitted applications to that institution under para-
11 graph (1) are qualified. Such disbursement shall be
12 made by check or other means that is payable to the
13 institution and requires the endorsement or other
14 certification by the eligible individual.

15 “(4) MULTIPLE DISBURSEMENTS REQUIRED.—
16 The total amount required to be disbursed to an in-
17 stitution of higher education under paragraph (3)
18 for any period of enrollment shall be disbursed by
19 the Corporation in 2 or more installments, none of
20 which exceeds $\frac{1}{2}$ of such total amount. The interval
21 between the first and second such installment shall
22 not be less than $\frac{1}{2}$ of such period of enrollment, ex-
23 cept as necessary to permit the second installment to
24 be paid at the beginning of the second semester,

1 quarter, or similar division of such period of enroll-
2 ment.

3 “(5) REFUND RULES.—The Corporation shall,
4 by regulation, provide for the refund to the Cor-
5 poration (and the crediting to the national service
6 educational award of an eligible individual) of
7 amounts disbursed to institutions for the benefit of
8 eligible individuals who withdraw or otherwise fail to
9 complete the period of enrollment for which the as-
10 sistance was provided. Such regulations shall be con-
11 sistent with the fair and equitable refund policies re-
12 quired of institutions pursuant to section 484B of
13 the Higher Education Act of 1965 (20 U.S.C.
14 1091b). Amounts refunded to the Trust pursuant to
15 this paragraph may be used by the Corporation to
16 fund additional approved national service positions
17 under subtitle C.

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

23 “(A) the eligible individual’s cost of attend-
24 ance for such period of enrollment, determined

1 in accordance with section 472 of the Higher
2 Education Act of 1965 (20 U.S.C. 1087ll); and
3 “(B) the sum of (i) the student’s estimated
4 financial assistance for such period under part
5 A of title IV of such Act (20 U.S.C. 1070 et
6 seq.), and (ii) the student’s veterans’ education
7 benefits, determined in accordance with section
8 480(c) of such Act (20 U.S.C. 1087vv(c)).

9 “(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE
10 IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Cor-
11 poration shall by regulation provide for the payment of
12 national service educational awards to permit eligible indi-
13 viduals to participate in school-to-work programs approved
14 by the Secretaries of Labor and Education.

15 “(e) INTEREST PAYMENTS DURING FORBEARANCE
16 ON LOAN REPAYMENT.—The Corporation shall provide by
17 regulation for the payment on behalf of an eligible individ-
18 ual of interest that accrues during a period for which such
19 individual has obtained forbearance in the repayment of
20 a qualified student loan (as defined in subsection (b)(6)),
21 if the eligible individual successfully completes his or her
22 required term of service (as determined under section
23 146(b)). Such regulations shall be prescribed after con-
24 sultation with the Secretary of Education.

1 “(g) EXCEPTION.—With the approval of the Director,
2 an approved national service program funded under sec-
3 tion 121, may offer participants the option of waiving
4 their right to receive a National Service Education Award
5 in order to receive an alternative post-service benefit fund-
6 ed by the program entirely with non-Federal funds.

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

12 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
13 tional and Community Service Act of 1990 (Public Law
14 101–610; 104 Stat. 3127) is amended by striking the
15 items relating to subtitle D of title I of such Act and in-
16 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.”.

17 (c) CONFORMING AMENDMENTS.—

18 (1) ELIGIBILITY FOR SUBSIDIZED STAFFORD
19 LOANS.—Section 428(a)(2)(C)(i) of the Higher Edu-
20 cation Act of 1965 (20 U.S.C. 1078(a)(2)(C)(i)) is
21 amended by inserting after “parts C and E of this

1 title,” the following: “any national service edu-
2 cational award such student will receive under sub-
3 title D of title I of the National and Community
4 Service Act of 1990 (42 U.S.C. 12751 et seq.),”.

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

8 (A) in subsection (b)(1)—

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

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

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

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

1 “(iii) provides that interest shall continue
2 to accrue on a loan for which a borrower re-
3 ceives forbearance under this subparagraph and
4 shall be capitalized or paid by the borrower;”;
5 and

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

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

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

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

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

23 (4) ELIGIBILITY FOR PERKINS LOAN FORGIVE-
24 NESS.—Section 465(a) of the Higher Education Act

1 of 1965 (20 U.S.C. 1087ee(a)) is amended by add-
2 ing at the end the following new paragraph:

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

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

11 “(3) Notwithstanding paragraph (1), any na-
12 tional service educational award such student will re-
13 ceive under subtitle D of title I of the National and
14 Community Service Act of 1990 (42 U.S.C. 12751
15 et seq.) shall not be taken into account in determin-
16 ing estimated financial assistance not received under
17 this title.”.

18 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**
19 **ICE-LEARNING PROGRAMS.**

20 (a) AMENDMENTS TO SERVE-AMERICA PROGRAMS.—

21 (1) PURPOSE.—The purpose of this subsection
22 is to improve the Serve-America programs estab-
23 lished under part I of subtitle B of the National and
24 Community Service Act of 1990, and to enable the

1 Corporation for National Service, and the entities
2 receiving financial assistance under such part, to—

3 (A) work with teachers in elementary
4 schools and secondary schools within a commu-
5 nity, and with community-based agencies, to
6 create and offer service-learning opportunities
7 for all school-age youth;

8 (B) educate teachers, and faculty providing
9 teacher training and retraining, about service-
10 learning, and incorporate service-learning op-
11 portunities into classroom teaching to strength-
12 en academic learning;

13 (C) coordinate the work of adult volunteers
14 who work with elementary and secondary
15 schools as part of their community service ac-
16 tivities; and

17 (D) work with employers in the commu-
18 nities to ensure that projects introduce the stu-
19 dents to various careers and expose the stu-
20 dents to needed further education and training.

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

1 **“Subtitle B—School-Based and**
2 **Community-Based Service-**
3 **Learning Programs**

4 **“PART I—SERVE-AMERICA PROGRAMS**

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

6 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**
7 **TRIBES.**

8 “(a) USE OF FUNDS.—The Corporation, in con-
9 sultation with the Secretary of Education, may make
10 grants under section 112(b)(1), and allotments under sub-
11 sections (a) and (b)(2) of section 112, to States (acting
12 through their State educational agency) and Indian tribes
13 to pay for the Federal share of—

14 “(1) planning and building the capacity of the
15 States or Indian tribes (which may be accomplished
16 through grants or contracts with qualified organiza-
17 tions) to implement school-based service-learning
18 programs, including—

19 “(A) providing training for teachers, su-
20 pervisors, personnel from community-based
21 agencies (particularly with regard to the utiliza-
22 tion of participants), and trainers, to be con-
23 ducted by qualified individuals or organizations
24 that have experience with service-learning;

1 “(B) developing service-learning curricula
2 to be integrated into academic programs, in-
3 cluding the age-appropriate learning component
4 described in section 114(d)(5)(B);

5 “(C) forming local partnerships described
6 in paragraph (2) or (4) to develop school-based
7 service-learning programs in accordance with
8 this subpart;

9 “(D) devising appropriate methods for re-
10 search and evaluation of the educational value
11 of service-learning and the effect of service-
12 learning activities on communities; and

13 “(E) establishing effective outreach and
14 dissemination of information to ensure the
15 broadest possible involvement of community-
16 based agencies with demonstrated effectiveness
17 in working with school-age youth in their com-
18 munities;

19 “(2) implementing, operating, or expanding
20 school-based service-learning programs, which may
21 include paying for the cost of the recruitment, train-
22 ing, supervision, placement, salaries, and benefits of
23 service-learning coordinators, through State dis-
24 tribution of Federal funds made available under this

1 subpart to projects operated by local partnerships
2 among—

3 “(A) local educational agencies; and

4 “(B) one or more community partners
5 that—

6 “(i) shall include a public or private
7 nonprofit organization that—

8 “(I) has a demonstrated and ex-
9 tensive expertise in the provision of
10 services to meet unmet human, edu-
11 cational, environmental, or public
12 safety needs;

13 “(II) was in existence at least 1
14 year before the date on which the or-
15 ganization applies to participate in the
16 partnership; and

17 “(III) will make projects avail-
18 able for participants, who shall be stu-
19 dents; and

20 “(ii) may include a private for-profit
21 business or private elementary or second-
22 ary school;

23 “(3) planning of school-based service-learning
24 programs through State distribution of Federal
25 funds made available under this subpart to local

1 educational agencies, which planning may include
2 paying for the cost of—

3 “(A) the salaries and benefits of service-
4 learning coordinators; or

5 “(B) the recruitment, training, supervision,
6 and placement of service-learning coordinators
7 who are participants in a program under sub-
8 title C or receive a national service educational
9 award under subtitle D,

10 who will identify the community partners described
11 in paragraph (2)(B) and assist in the design and im-
12 plementation of a program described in paragraph
13 (2); and

14 “(4) implementing, operating, or expanding
15 school-based service-learning programs involving
16 adult volunteers to utilize service-learning to improve
17 the education of students through State distribution
18 of Federal funds made available under this part to
19 local partnerships among—

20 “(A) local educational agencies; and

21 “(B) one or more—

22 “(i) public or private nonprofit organi-
23 zations;

24 “(ii) other educational agencies; or

25 “(iii) private for-profit businesses,

1 that coordinate and operate projects for participants,
2 who shall be students.

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

7 “(1) expanding the awareness of teachers of the
8 potential of service-learning in strengthening the
9 educational achievement, leadership development,
10 and substantive learning, of students;

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

14 “(3) assisting local partnerships described in
15 subsection (a) in the planning, development, and
16 execution of service-learning projects;

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

22 “(5) coordinating the activities of the service-
23 learning coordinator with the activities of the com-
24 mittee described in section 114(d)(1), and, where
25 appropriate, assisting the committee.

1 “(c) RELATED EXPENSES.—A partnership, local edu-
2 cational agency, or other qualified organization that re-
3 ceives financial assistance under this subpart may, in car-
4 rying out the activities described in subsection (a), use
5 such assistance to pay for the Federal share of reasonable
6 costs related to the supervision of participants, program
7 administration, transportation, insurance, evaluations,
8 and for other reasonable expenses related to the activities.

9 **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**
10 **NONPARTICIPATING STATES.**

11 “In any fiscal year in which a State does not submit
12 an application under section 113, for an allotment under
13 subsection (a) or (b)(2) of section 112, that meets the re-
14 quirements of section 113 and such other requirements
15 as the Chairperson may determine to be appropriate, the
16 Corporation may use the allotment of that State to make
17 direct grants to pay for the Federal share of the cost of—

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

21 “(2) carrying out the activities described in
22 paragraph (3) of such section, to an agency de-
23 scribed in such paragraph,
24 that is located in the State.

1 **“SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
2 **NONPROFIT ORGANIZATIONS.**

3 “(a) IN GENERAL.—The Corporation may make a
4 grant under section 112(b)(1) to a public or private non-
5 profit organization that—

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

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

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

12 “(b) USE OF FUNDS.—Such an organization may use
13 a grant made under subsection (a) to make grants to part-
14 nerships described in paragraph (2) or (4) of section
15 111(a) to implement, operate, or expand school-based
16 service-learning programs as described in such section and
17 provide technical assistance and training to appropriate
18 persons.

19 **“SEC. 112. GRANTS AND ALLOTMENTS.**

20 “(a) INDIAN TRIBES AND TERRITORIES.—Of the
21 amounts appropriated to carry out this subpart for any
22 fiscal year, the Corporation shall reserve an amount of not
23 more than 1 percent for payments to Indian tribes, the
24 Virgin Islands of the United States, Guam, American
25 Samoa, and the Commonwealth of the Northern Mariana
26 Islands, to be allotted in accordance with their respective

1 needs. The Corporation may also make payments from
2 such amount to Palau, in accordance with its needs, until
3 such time as the Compact of Free Association with Palau
4 is ratified.

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

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

13 “(A) State educational agencies and Indian
14 tribes; or

15 “(B) as described in section 111B, to
16 grantmaking entities.

17 “(2) ALLOTMENTS.—

18 “(A) SCHOOL-AGE YOUTH.—Except as pro-
19 vided in paragraph (3), from 37.5 percent of
20 such funds, the Corporation shall allot to each
21 State an amount that bears the same ratio to
22 37.5 percent of such funds as the number of
23 school-age youth in the State bears to the total
24 number of school-age youth of all States.

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

12 “(3) MINIMUM AMOUNT.—No State shall re-
13 ceive, under paragraph (2), an allotment that is less
14 than the allotment such State received for fiscal year
15 1993 under section 112(b) of this Act, as in effect
16 on the day before the date of enactment of this part.
17 If the amount of funds made available in a fiscal
18 year to carry out paragraph (2) is insufficient to
19 make such allotments, the Corporation shall make
20 available sums from the 25 percent described in
21 paragraph (1) for such fiscal year to make such al-
22 lotments.

23 “(4) DEFINITION.—Notwithstanding section
24 101(25), for purposes of this subsection, the term
25 ‘State’ means each of the several States, the District

1 of Columbia, the Commonwealth of Puerto Rico, and
2 an Indian tribe.

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

16 “(d) EXCEPTION.—Notwithstanding subsections (a)
17 and (b), if less than \$20,000,000 is appropriated for any
18 fiscal year to carry out this subpart, the Corporation shall
19 award grants to States and Indian tribes, from the
20 amount so appropriated, on a competitive basis to pay for
21 the Federal share of the activities described in section 111.

22 **“SEC. 113. STATE OR TRIBAL APPLICATIONS.**

23 “(a) SUBMISSION.—To be eligible to receive a grant
24 under section 112(b)(1), an allotment under subsection
25 (a) or (b)(2) of section 112, a realLOTment under section

1 112(c), or a grant under section 112(d), a State, acting
2 through the State educational agency, or an Indian tribe,
3 shall prepare, submit to the Corporation, and obtain ap-
4 proval of, an application at such time and in such manner
5 as the Chairperson may reasonably require.

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

9 “(1) a 3-year strategic plan, or a revision of a
10 previously approved 3-year strategic plan, for pro-
11 moting service-learning through the programs, which
12 plan shall contain such information as the Chair-
13 person may reasonably require, such as—

14 “(A) a description of the goals to be at-
15 tained in promoting service-learning through
16 such programs;

17 “(B) a description of the resources and or-
18 ganization needed to achieve the goals of such
19 programs within elementary schools and second-
20 ary schools; and

21 “(C) a description of the manner in
22 which—

23 “(i) such programs and the activities
24 to be carried out under such programs re-

1 late to the goals described in subparagraph
2 (A);

3 “(ii) the applicant will evaluate the
4 success of the programs and the extent of
5 community involvement in the programs,
6 and measure the extent to which the pro-
7 grams meet the goals described in subpara-
8 graph (A);

9 “(iii) in reviewing applications submit-
10 ted under section 114(c), the applicant has
11 ranked the applications according to the
12 criteria described in section 115(b), has
13 considered the factors described in section
14 115(a), and has reviewed the applications
15 in a manner that ensured the equitable
16 treatment of all such applications;

17 “(iv) the programs will be coordinated
18 with—

19 “(I) the education reform efforts
20 of the applicant;

21 “(II) other efforts to meet the
22 National Education Goals;

23 “(III) other service activities in
24 the State or serving the Indian tribe;
25 and

1 “(IV) other education programs,
2 training programs, social service pro-
3 grams, and appropriate programs that
4 serve school-age youth, that are au-
5 thorized under Federal law;

6 “(v) the applicant will disseminate in-
7 formation, conduct outreach, and take
8 other measures, to encourage cooperative
9 efforts among the local educational agen-
10 cies, local government agencies, commu-
11 nity-based agencies, State agencies, and
12 private for-profit businesses that will carry
13 out the service-learning programs proposed
14 by the applicant, to develop and provide
15 projects, including those that involve the
16 participation of urban, suburban, and rural
17 students working together;

18 “(vi) the applicant will promote ap-
19 propriate projects in such programs for
20 economically disadvantaged students, stu-
21 dents with limited basic skills, students in
22 foster care who are becoming too old for
23 foster care, students of limited English
24 proficiency, homeless students, and stu-
25 dents with disabilities;

1 “(vii) service-learning training and
2 technical assistance will be provided
3 through the programs—

4 “(I) to State and local edu-
5 cational agency personnel, federally
6 assisted education specialists in the
7 State or serving the Indian tribe, and
8 local recipients of grants under this
9 subpart, to raise the awareness of
10 service-learning among such person-
11 nel, specialists, and recipients; and

12 “(II) by qualified and experi-
13 enced individuals employed by the
14 State or Indian tribe or through
15 grants or contracts with such individ-
16 uals;

17 “(viii) a service-learning network will
18 be established for the State or Indian
19 tribe, comprised of expert teachers and ad-
20 ministrators who have carried out success-
21 ful service-learning activities within the
22 State or serving the Indian tribe; and

23 “(ix) the applicant will use payments
24 from sources described in section
25 116(a)(2)(B) to expand projects for stu-

1 dents through the programs proposed by
2 the applicant;

3 “(2) assurances that—

4 “(A) the applicant will keep such records
5 and provide such information to the Cor-
6 poration with respect to the programs as may
7 be required for fiscal audits and program eval-
8 uation; and

9 “(B) the applicant will comply with the
10 nonduplication and nondisplacement require-
11 ments of section 177; and

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

14 **“SEC. 114. LOCAL APPLICATIONS.**

15 “(a) APPLICATION TO CORPORATION TO MAKE
16 GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PRO-
17 GRAMS.—

18 “(1) IN GENERAL.—To be eligible to receive a
19 grant in accordance with section 111B(a) to make
20 grants relating to school-based service-learning pro-
21 grams described in section 111(a)(2), a grantmaking
22 entity shall prepare, submit to the Corporation, and
23 obtain approval of, an application.

24 “(2) SUBMISSION.—Such application shall be
25 submitted at such time and in such manner, and

1 shall contain such information, as the Chairperson
2 may reasonably require. Such application shall in-
3 clude a proposal to assist such programs in more
4 than 1 State.

5 “(b) DIRECT APPLICATION TO CORPORATION TO
6 CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-
7 GRAMS IN NONPARTICIPATING STATES.—To be eligible to
8 receive a grant from the Corporation in the circumstances
9 described in section 111A to carry out an activity de-
10 scribed in such section, a partnership or agency described
11 in such section shall prepare, submit to the Corporation,
12 and obtain approval of, an application. Such application
13 shall be submitted at such time and in such manner, and
14 shall contain such information, as the Chairperson may
15 reasonably require.

16 “(c) APPLICATION TO STATE OR INDIAN TRIBE TO
17 RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED
18 SERVICE-LEARNING PROGRAMS.—

19 “(1) IN GENERAL.—Any—

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

24 “(B) partnership described in section
25 111(a)(2) that desires to receive such assistance

1 from a State, Indian tribe, or grantmaking en-
2 tity for an activity described in section
3 111(a)(2);

4 “(C) agency described in section 111(a)(3)
5 that desires to receive such assistance from a
6 State or Indian tribe for an activity described
7 in such section; or

8 “(D) partnership described in section
9 111(a)(4) that desires to receive such assistance
10 from a State or Indian tribe for an activity de-
11 scribed in such section,

12 to be carried out through a service-learning program
13 described in section 111, shall prepare, submit to
14 the State educational agency, Indian tribe, or
15 grantmaking entity, and obtain approval of, an ap-
16 plication for the program.

17 “(2) SUBMISSION.—Such application shall be
18 submitted at such time and in such manner, and
19 shall contain such information, as the agency, tribe,
20 or entity may reasonably require.

21 “(d) CONTENTS OF APPLICATION.—An application
22 that is submitted under subsection (a), (b), or (c) with
23 respect to a service-learning program described in section
24 111 shall, at a minimum, contain a proposal that
25 includes—

1 “(1) information specifying the membership and
2 role of an established advisory committee, consisting
3 of representatives of community-based agencies in-
4 cluding service recipients, students, parents, teach-
5 ers, administrators, representatives of agencies that
6 serve school-age youth or older adults, school board
7 members, representatives of local labor organiza-
8 tions, and representatives of business, that will pro-
9 vide advice with respect to the program;

10 “(2) a description of—

11 “(A) the goals of the program which shall
12 include goals that are quantifiable and demon-
13 strate any benefits from the program to par-
14 ticipants and the community;

15 “(B) service-learning projects to be pro-
16 vided under the program, and evidence that
17 participants will make a sustained commitment
18 to service in the projects;

19 “(C) the manner in which participants
20 the program were or will be involved in the de-
21 sign and operation of the program;

22 “(D) training for supervisors, teacher
23 service sponsors, and participants in the pro-
24 gram;

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

3 “(F) any resources that will permit con-
4 tinuation of the program, if needed, after the
5 assistance received under this subpart for the
6 program has ended;

7 “(3) information that shall include—

8 “(A) a disclosure of whether or not the
9 participants will receive academic credit for par-
10 ticipation in the program;

11 “(B) the expected number of participants
12 in the program and the hours of service that
13 such participants will provide individually and
14 as a group;

15 “(C) the proportion of expected partici-
16 pants in the program who are economically dis-
17 advantaged, including participants with disabili-
18 ties; and

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

22 “(4) in the case of an application submitted by
23 a local partnership, a written agreement, between
24 the members of the local partnership, stating that
25 the program was jointly developed by the members

1 and that the program will be jointly executed by the
2 members; and

3 “(5) assurances that—

4 “(A) prior to the placement of a partici-
5 pant, the entity carrying out the program will
6 consult with any local labor organization rep-
7 resenting employees in the area who are en-
8 gaged in the same or similar work as that pro-
9 posed to be carried out by such program, to
10 prevent the displacement and protect the rights
11 of such employees;

12 “(B) the entity carrying out the program
13 will develop an age-appropriate learning compo-
14 nent for participants in the program that shall
15 include a chance for participants to analyze and
16 apply their service experiences; and

17 “(C) the entity carrying out the program
18 will comply with the nonduplication and
19 nondisplacement requirements of section 177
20 and grievance procedure requirements of section
21 176(f).

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

23 “(a) **CRITERIA FOR APPLICATIONS.**—In approving
24 applications for financial assistance under subsection (a),
25 (b), (c), or (d) of section 112, the Corporation shall con-

1 sider such criteria with respect to sustainability,
2 replicability, innovation, and quality of programs under
3 this subpart as the Chairperson may by regulation specify.
4 In providing assistance under this subpart, a State edu-
5 cational agency, Indian tribe, or grantmaking entity shall
6 consider such criteria.

7 “(b) PRIORITY FOR LOCAL APPLICATIONS.—

8 “(1) IN GENERAL.—In providing assistance
9 under this subpart, a State educational agency or
10 Indian tribe, or the Corporation if section 111A or
11 111B applies, shall give priority to entities that sub-
12 mit applications under section 114 with respect to
13 service-learning programs described in section 111
14 that—

15 “(A) involve participants in the design and
16 operation of the program;

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

19 “(C) involve—

20 “(i) students from public elementary
21 or secondary schools, and students from
22 private elementary or secondary schools,
23 serving together; or

1 “(ii) students of different ages, races,
2 sexes, ethnic groups, disabilities, or eco-
3 nomic backgrounds, serving together; or
4 “(D) are integrated into the academic pro-
5 gram of the participants.

6 “(c) REJECTION OF APPLICATIONS.—If the Cor-
7 poration rejects an application submitted by a State under
8 section 113 for an allotment under subsection (b)(2) of
9 section 112, the Corporation shall promptly notify the
10 State of the reasons for the rejection of the application.
11 The Corporation shall provide the State with a reasonable
12 opportunity to revise and resubmit the application and
13 shall provide technical assistance, if needed, to the State
14 as part of the resubmission process. The Corporation shall
15 promptly reconsider such resubmitted application.

16 **“SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**
17 **FROM PRIVATE SCHOOLS.**

18 “(a) IN GENERAL.—To the extent consistent with the
19 number of students in the State or Indian tribe or in the
20 school district of the local educational agency involved who
21 are enrolled in private nonprofit elementary and secondary
22 schools, such State, Indian tribe, or agency shall (after
23 consultation with appropriate private school rep-
24 resentatives) make provision—

1 “(1) for the inclusion of services and arrange-
2 ments for the benefit of such students so as to allow
3 for the equitable participation of such students in
4 the programs implemented to carry out the objec-
5 tives and provide the benefits described in this sub-
6 part; and

7 “(2) for the training of the teachers of such
8 students so as to allow for the equitable participa-
9 tion of such teachers in the programs implemented
10 to carry out the objectives and provide the benefits
11 described in this subpart.

12 “(b) WAIVER.—If a State, Indian tribe, or local edu-
13 cational agency is prohibited by law from providing for
14 the participation of students or teachers from private non-
15 profit schools as required by subsection (a), or if the Cor-
16 poration determines that a State, Indian tribe, or local
17 educational agency substantially fails or is unwilling to
18 provide for such participation on an equitable basis, the
19 Chairperson shall waive such requirements and shall ar-
20 range for the provision of services to such students and
21 teachers. Such waivers shall be subject to consultation,
22 withholding, notice, and judicial review requirements in
23 accordance with paragraphs (3) and (4) of section 1017(b)
24 of the Elementary and Secondary Education Act of 1965
25 (20 U.S.C. 2727(b)).

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

2 **"(a) SHARE.—**

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

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

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

13 **"(C)** 70 percent of the total cost of the
14 program for the third year for which the pro-
15 gram receives assistance under this subpart;
16 and

17 **"(D)** 50 percent of the total cost of the
18 program for the fourth year, and for any sub-
19 sequent year, for which the program receives
20 assistance under this subpart.

21 **"(2) CALCULATION.—**In providing for the re-
22 maining share of the cost of carrying out such a pro-
23 gram, each recipient of assistance under this
24 subpart—

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

4 “(B) may provide for such share through
5 State sources, local sources, or Federal sources
6 (other than funds made available under the na-
7 tional service laws).

8 “(b) WAIVER.—The Chairperson may waive the re-
9 quirements of subsection (a) in whole or in part with re-
10 spect to any such program in any fiscal year if the Cor-
11 poration determines that such a waiver would be equitable
12 due to a lack of available financial resources at the local
13 level.

14 **“SEC. 116A. LIMITATIONS ON USES OF FUNDS.**

15 “(a) ADMINISTRATIVE COSTS.—

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

23 “(A) the original recipient; or

1 “(B) the entity carrying out the service-
2 learning programs supported with the assist-
3 ance.

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

6 “(A) such assistance may be used to cover
7 administrative costs; and

8 “(B) that portion of the assistance avail-
9 able to cover administrative costs should be dis-
10 tributed between—

11 “(i) the original recipient; and

12 “(ii) the entity carrying out the serv-
13 ice-learning programs supported with the
14 assistance.

15 “(b) CAPACITY-BUILDING ACTIVITIES.—Not less
16 than 10 percent and not more than 15 percent of the
17 amount of assistance provided to a State educational
18 agency or Indian tribe that is the original recipient of a
19 grant or allotment under subsection (a), (b), (c), or (d)
20 of section 112 for a fiscal year may be used to build capac-
21 ity through training, technical assistance, curriculum de-
22 velopment, and coordination activities, described in section
23 111(a)(1).

24 “(c) LOCAL USES OF FUNDS.—Funds made available
25 under this subpart may not be used to pay any stipend,

1 allowance, or other financial support to any student who
2 is a participant under this subtitle, except reimbursement
3 for transportation, meals, and other reasonable out-of-
4 pocket expenses directly related to participation in a pro-
5 gram assisted under this subpart.

6 **"SEC. 116B. DEFINITIONS.**

7 "As used in this subpart:

8 "(1) GRANTMAKING ENTITY.—The term
9 'grantmaking entity' means an organization de-
10 scribed in section 111B(a).

11 "(2) SCHOOL-BASED.—The term 'school-based'
12 means based in an elementary school or a secondary
13 school.

14 "(3) STUDENT.—Notwithstanding section
15 101(28), the term 'student' means an individual who
16 is enrolled in an elementary or secondary school on
17 a full- or part-time basis.

18 **"Subpart B—Community-Based Service Programs for**
19 **School-Age Youth**

20 **"SEC. 117. DEFINITIONS.**

21 "As used in this subpart:

22 "(1) COMMUNITY-BASED SERVICE PROGRAM.—
23 The term 'community-based service program' means
24 a program described in section 117A(b)(1)(A).

1 “(2) GRANTMAKING ENTITY.—The term
2 ‘grantmaking entity’ means a qualified organization
3 that—

4 “(A) submits an application under section
5 117C(a) to make grants to qualified organiza-
6 tions; and

7 “(B) was in existence 1 year before the
8 date on which the organization submitted the
9 application.

10 “(3) QUALIFIED ORGANIZATION.—The term
11 ‘qualified organization’ means a public or private
12 nonprofit organization with experience working with
13 school-age youth that meets such criteria as the
14 Chairperson may establish.

15 **“SEC. 117A. GENERAL AUTHORITY.**

16 “(a) GRANTS.—From the funds appropriated to
17 carry out this subpart for a fiscal year, the Corporation
18 may make grants to State Commissions, grantmaking en-
19 tities, and qualified organizations to pay for the Federal
20 share of the implementation, operation, expansion, or rep-
21 lication of community-based service programs.

22 “(b) USE OF FUNDS.—

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

1 “(A) to make a grant to a qualified organi-
2 zation to implement, operate, expand, or rep-
3 licate a community-based service-learning pro-
4 gram that provides for meaningful human, edu-
5 cational, environmental, or public safety service
6 by participants, who shall be school-age youth;
7 or

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

10 “(2) QUALIFIED ORGANIZATIONS.—A qualified
11 organization, other than a grantmaking entity, may
12 use a grant made under subsection (a) to implement,
13 operate, expand, or replicate a program described in
14 paragraph (1)(A).

15 **“SEC. 117B. STATE APPLICATIONS.**

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

20 “(b) SUBMISSION.—Such application shall be submit-
21 ted to the Corporation at such time and in such manner,
22 and shall contain such information, as the Chairperson
23 may reasonably require.

24 “(c) CONTENTS.—Such an application shall include,
25 at a minimum, a State plan that contains the descriptions,

1 proposals, and assurance described in section 117C(d)
2 with respect to each community-based service program
3 proposed to be carried out through funding distributed by
4 the State Commission under this subpart.

5 **“SEC. 117C. LOCAL APPLICATIONS.**

6 “(a) APPLICATION TO CORPORATION TO MAKE
7 GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—

8 To be eligible to receive a grant from the Corporation
9 under section 117A(a) to make grants under section
10 117A(b)(1), a grantmaking entity shall prepare, submit
11 to the Corporation, and obtain approval of, an application
12 that proposes a community-based service program to be
13 carried out through grants made to qualified organiza-
14 tions. Such application shall be submitted at such time
15 and in such manner, and shall contain such information,
16 as the Chairperson may reasonably require.

17 “(b) DIRECT APPLICATION TO CORPORATION TO
18 CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—

19 To be eligible to receive a grant from the Corporation
20 under section 117A(a) to implement, operate, expand, or
21 replicate a community service program, a qualified organi-
22 zation shall prepare, submit to the Corporation, and ob-
23 tain approval of, an application that proposes a commu-
24 nity-based service program to be carried out at multiple
25 sites, or that proposes an innovative community-based

1 service program. Such application shall be submitted at
2 such time and in such manner, and shall contain such in-
3 formation, as the Chairperson may reasonably require.

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

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

17 “(1) a description of any community-based
18 service program proposed to be implemented, oper-
19 ated, expanded, or replicated directly by the appli-
20 cant using assistance provided under this subpart;

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

1 “(3) a proposal for carrying out the commu-
2 nity-based service program that describes the man-
3 ner in which the entity carrying out the program
4 will—

5 “(A) provide preservice and inservice train-
6 ing, for supervisors and participants, that will
7 be conducted by qualified individuals, or quali-
8 fied organizations, that have experience in com-
9 munity-based service programs;

10 “(B) include economically disadvantaged
11 individuals as participants in the program pro-
12 posed by the applicant;

13 “(C) provide an age-appropriate service-
14 learning component described in section
15 114(d)(5)(B);

16 “(D) conduct an appropriate evaluation of
17 the program;

18 “(E) provide for appropriate community
19 involvement in the program;

20 “(F) provide service experiences that pro-
21 mote leadership abilities among participants in
22 the program, including experiences that involve
23 such participants in program design;

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

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

3 “(I) organize participants in the program
4 into teams, if appropriate, with team leaders
5 who may be participants in a program under
6 subtitle C or individuals who receive a national
7 service educational award under subtitle D; and

8 “(4) an assurance that the entity carrying out
9 the program proposed by the applicant will comply
10 with the nonduplication and nondisplacement provi-
11 sions of section 177 and grievance procedure re-
12 quirements of section 176(f).

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

14 “(a) APPLICATION OF CRITERIA.—The Corporation
15 shall apply the criteria described in subsection (b) in de-
16 termining whether to approve an application submitted
17 under section 117B or under subsection (a) or (b) of sec-
18 tion 117C and to provide assistance under section 117A
19 to the applicant on the basis of the application.

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

24 “(c) APPLICATION TO SUBGRANTS.—A State Com-
25 mission or grantmaking entity shall apply the criteria de-

1 scribed in subsection (b) in determining whether to ap-
2 prove an application under section 117C(c) and to make
3 a grant under section 117A(b)(1) to the applicant on the
4 basis of the application.

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

6 **“(a) FEDERAL SHARE.—**

7 **“(1) IN GENERAL.—**The Federal share attrib-
8 utable to this subpart of the cost of carrying out a
9 program for which a grant is made under this sub-
10 part may not exceed the percentage specified in sub-
11 paragraph (A), (B), (C), or (D) of section 116(a)(1),
12 as appropriate.

13 **“(2) CALCULATION.—**Each recipient of assist-
14 ance under this subpart shall comply with section
15 116(a)(2).

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

19 **“SEC. 117F. LIMITATIONS ON USES OF FUNDS.**

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

1 “(1) the original recipient; or

2 “(2) the entity carrying out the community-
3 based service programs supported with the assist-
4 ance.

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

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

9 “(2) that portion of the assistance available to
10 cover administrative costs should be distributed
11 between—

12 “(A) the original recipient; and

13 “(B) the entity carrying out the commu-
14 nity-based service programs supported with the
15 assistance.

16 **“Subpart C—Clearinghouse**

17 **“SEC. 118. SERVICE-LEARNING CLEARINGHOUSE.**

18 “(a) IN GENERAL.—The Corporation shall provide fi-
19 nancial assistance, from funds appropriated to carry out
20 subtitle H, to agencies described in subsection (b) to es-
21 tablish a clearinghouse, which shall carry out activities,
22 either directly or by arrangement with another such entity,
23 with respect to information about service-learning.

24 “(b) PUBLIC AND PRIVATE NONPROFIT AGENCIES.—
25 Public and private nonprofit agencies that have extensive

1 experience with service-learning, including use of adult vol-
2 unteers to foster service-learning, shall be eligible to re-
3 ceive assistance under subsection (a).

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

6 “(1) assist entities carrying out State or local
7 service-learning programs with needs assessments
8 and planning;

9 “(2) conduct research and evaluations concern-
10 ing service-learning;

11 “(3)(A) provide leadership development and
12 training to State and local service-learning program
13 administrators, supervisors, service sponsors, and
14 participants; and

15 “(B) provide training to persons who can pro-
16 vide the leadership development and training de-
17 scribed in subparagraph (A);

18 “(4) facilitate communication among entities
19 carrying out service-learning programs and partici-
20 pants in such programs;

21 “(5) provide information, curriculum materials,
22 and technical assistance relating to planning and op-
23 eration of service-learning programs, to States and
24 local entities eligible to receive financial assistance
25 under this title;

1 “(6) provide information regarding methods to
2 make service-learning programs accessible to individ-
3 uals with disabilities;

4 “(7)(A) gather and disseminate information on
5 successful service-learning programs, components of
6 such successful programs, innovative youth skills
7 curricula related to service-learning, and service-
8 learning projects; and

9 “(B) coordinate the activities of the Clearing-
10 house with appropriate entities to avoid duplication
11 of effort;

12 “(8) make recommendations to State and local
13 entities on quality controls to improve the quality of
14 service-learning programs;

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

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

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

1 **“PART II—HIGHER EDUCATION INNOVATIVE**
2 **PROGRAMS FOR COMMUNITY SERVICE**
3 **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**
4 **FOR COMMUNITY SERVICE.**

5 “(a) PURPOSE.—It is the purpose of this part to ex-
6 pand participation in community service by supporting in-
7 novative community service programs carried out through
8 institutions of higher education, acting as civic institutions
9 to meet the human, educational, environmental, or public
10 safety needs of neighboring communities.

11 “(b) GENERAL AUTHORITY.—The Corporation, in
12 consultation with the Secretary of Education, is author-
13 ized to make grants to, and enter into contracts with, in-
14 stitutions of higher education (including a combination of
15 such institutions), and partnerships comprised of such in-
16 stitutions and of other public agencies or nonprofit private
17 organizations, to pay for the Federal share of the cost of—

18 “(1) enabling such an institution or partnership
19 to create or expand an organized community service
20 program that—

21 “(A) engenders a sense of social respon-
22 sibility and commitment to the community in
23 which the institution is located; and

24 “(B) provides projects for participants,
25 who shall be students, faculty, administration,

1 or staff of the institution, or residents of the
2 community;

3 “(2) supporting student-initiated and student-
4 designed community service projects through the
5 program;

6 “(3) facilitating the integration of community
7 service carried out under the program into academic
8 curricula, including integration of clinical programs
9 into the curriculum for students in professional
10 schools, so that students can obtain credit for their
11 community service projects;

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

17 “(5) strengthening the service infrastructure
18 within institutions of higher education in the United
19 States through the program; and

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

24 “(c) FEDERAL SHARE.—

25 “(1) SHARE.—

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

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

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

11 “(d) APPLICATION FOR GRANT.—

12 “(1) SUBMISSION.—To receive a grant or enter
13 into a contract under this part, an institution or
14 partnership described in subsection (b) shall pre-
15 pare, submit to the Corporation, and obtain approval
16 of, an application at such time and in such manner
17 as the Chairperson may reasonably require.

18 “(2) CONTENTS.—An application submitted
19 under paragraph (1) shall contain—

20 “(A) such information as the Chairperson
21 may reasonably require, such as a description
22 of—

23 “(i) the proposed program to be es-
24 tablished with assistance provided under
25 the grant or contract;

1 “(ii) the human, educational, environ-
2 mental, or public safety service that par-
3 ticipants will perform and the community
4 need that will be addressed under such
5 program;

6 “(iii) whether or not students will re-
7 ceive academic credit for community serv-
8 ice projects under the program;

9 “(iv) the procedure for training super-
10 visors and participants and for supervising
11 and organizing participants in such pro-
12 gram;

13 “(v) the procedures to ensure that the
14 program includes the age-appropriate
15 learning component described in section
16 114(d)(5)(B);

17 “(vi) the roles played by students and
18 community members, including service re-
19 cipients, in the design and implementation
20 of the program; and

21 “(vii) the budget for the program;

22 “(B) assurances that—

23 “(i) prior to the placement of a par-
24 ticipant, the applicant will consult with any
25 local labor organization representing em-

1 ployees in the area who are engaged in the
2 same or similar work as that proposed to
3 be carried out by such program, to prevent
4 the displacement and protect the rights of
5 such employees; and

6 “(ii) the applicant will comply with
7 the nonduplication and nondisplacement
8 provisions of section 177 and grievance
9 procedure requirements of section 176(f);
10 and

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

13 “(e) PRIORITY.—

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

18 “(A) demonstrate the commitment of the
19 institution of higher education, other than by
20 demonstrating the commitment of the students,
21 to supporting the community service projects
22 carried out under the program;

23 “(B) specify the manner in which the insti-
24 tution will promote faculty, administration, and

1 staff participation in the community service
2 projects;

3 “(C) specify the manner in which the insti-
4 tution will provide service to the community
5 through organized programs, including, where
6 appropriate, clinical programs for students in
7 professional schools;

8 “(D) describe any partnership that will
9 participate in the community service projects,
10 such as a partnership comprised of—

11 “(i) the institution;

12 “(ii)(I) a community-based agency;

13 “(II) a local government agency; or

14 “(III) a nonprofit entity that serves or
15 involves school-age youth or older adults;
16 and

17 “(iii) a student organization;

18 “(E) demonstrate community involvement
19 in the development of the proposal;

20 “(F) specify that the institution will use
21 such assistance to strengthen the service infra-
22 structure in institutions of higher education; or

23 “(G) with respect to projects involving de-
24 livery of service, specify projects that involve
25 leadership development of school-age youth.

1 “(2) DETERMINATION.—In giving priority to
2 applicants under paragraph (1), the Corporation
3 shall give increased priority to such an applicant for
4 each characteristic described in subparagraphs (A)
5 through (G) of paragraph (1) that is reflected in the
6 application submitted by the applicant.

7 “(f) NATIONAL SERVICE EDUCATIONAL AWARD.—A
8 participant in a program funded under this part shall be
9 eligible for the national service educational award de-
10 scribed in subtitle D, if the participant served in an ap-
11 proved national service position.

12 “(g) DEFINITION.—Notwithstanding section
13 101(28), as used in this part, the term ‘student’ means
14 an individual who is enrolled in an institution of higher
15 education on a full- or part-time basis.

16 **“PART III—GENERAL PROVISIONS**

17 **“SEC. 120. AVAILABILITY OF APPROPRIATIONS.**

18 “Of the aggregate amount appropriated to carry out
19 this subtitle for each fiscal year—

20 “(1) a sum equal to 75 percent of such aggre-
21 gate amount shall be available to carry out part I,
22 of which—

23 “(A) 85 percent of such sum shall be avail-
24 able to carry out subpart A; and

1 “(B) 15 percent of such sum shall be avail-
2 able to carry out subpart B; and

3 “(2) a sum equal to 25 percent of such aggre-
4 gate amount shall be available to carry out part II.”.

5 (c) TABLE OF CONTENTS.—Section 1(b) of the Na-
6 tional and Community Service Act of 1990 (Public Law
7 101–610; 104 Stat. 3127) is amended by striking the
8 items relating to subtitle B of title I of such Act and in-
9 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 nonprofit 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

13 (3) by redesignating sections 195 through 195O
14 as sections 151 through 166, respectively.

15 (c) **INVESTMENT FOR QUALITY AND INNOVATION.**—
16 Title I of the National and Community Service Act of
17 1990 is further amended by adding before subtitle I (as
18 transferred by section 101(a) of this Act) the following
19 new subtitle:

1 **“Subtitle H—Investment for**
2 **Quality and Innovation**

3 **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**
4 **PORT NATIONAL SERVICE.**

5 “(a) METHODS OF CONDUCTING ACTIVITIES.—The
6 Corporation may carry out this section directly or through
7 grants, contracts, and cooperative agreements with other
8 entities.

9 “(b) INNOVATION AND QUALITY IMPROVEMENT.—

10 “(1) ACTIVITIES.—The Corporation may under-
11 take activities to improve the quality of national
12 service programs and to support innovative and
13 model programs, including—

14 “(A) programs under subtitle B or C for
15 rural youth;

16 “(B) employer-based retiree programs;

17 “(C) intergenerational programs;

18 “(D) programs involving and integrating
19 individuals with disabilities as participants pro-
20 viding service; and

21 “(E) programs sponsored by Governors.

22 “(2) INTERGENERATIONAL PROGRAM.—An
23 intergenerational program referred to in paragraph
24 (1)(C) may include a program in which older adults

1 provide services to children who participate in Head
2 Start programs.

3 “(c) SUMMER PROGRAMS.—The Corporation may
4 support service programs intended to be carried out be-
5 tween May 1 and October 1, except that such a program
6 may also include a year-round component.

7 “(d) COMMUNITY-BASED AGENCIES.—The Cor-
8 poration may provide training and technical assistance
9 and other assistance to service sponsors and other commu-
10 nity-based agencies that provide volunteer placements in
11 order to improve the ability of such agencies to use partici-
12 pants and other volunteers in a manner that results in
13 high-quality service and a positive service experience for
14 the participants and volunteers.

15 “(e) IMPROVE ABILITY TO APPLY FOR ASSIST-
16 ANCE.—The Corporation shall provide training and tech-
17 nical assistance to individuals, programs, local labor orga-
18 nizations, State educational agencies, State commissions,
19 local educational agencies, local governments, community-
20 based agencies, and other entities to enable them to apply
21 for funding under one of the national service laws, to con-
22 duct high-quality programs, to evaluate such programs,
23 and for other purposes.

24 “(f) NATIONAL SERVICE FELLOWSHIPS.—The Cor-
25 poration may award national service fellowships.

1 “(g) CONFERENCES AND MATERIALS.—The Cor-
2 poration may organize and hold conferences, and prepare
3 and publish materials, to disseminate information and pro-
4 mote the sharing of information among programs for the
5 purpose of improving the quality of programs and
6 projects.

7 “(h) PEACE CORPS AND VISTA TRAINING.—The
8 Corporation may provide training assistance to selected in-
9 dividuals who volunteer to serve in the Peace Corps or a
10 program authorized under title I of the Domestic Vol-
11 unteer Service Act of 1973 (42 U.S.C. 4951 et seq.). The
12 training shall be provided as part of the course of study
13 of the individual at an institution of higher education,
14 shall involve service-learning, and shall cover appropriate
15 skills that the individual will use in the Peace Corps or
16 VISTA.

17 “(i) PROMOTION AND RECRUITMENT.—The Cor-
18 poration may conduct a campaign to solicit funds for the
19 National Service Trust and other programs and activities
20 authorized under the national service laws and to promote
21 and recruit participants for programs that receive assist-
22 ance under the national service laws.

23 “(j) TRAINING.—The Corporation may support na-
24 tional and regional participant and supervisor training, in-

1 cluding leadership training and training in specific types
2 of service and in building the ethic of civic responsibility.

3 “(k) RESEARCH.—The Corporation may support re-
4 search on national service, including service-learning.

5 “(l) INTERGENERATIONAL SUPPORT.—The Cor-
6 poration may assist programs in developing a service com-
7 ponent that combines students, out-of-school youths, and
8 older adults as participants to provide needed community
9 services.

10 “(m) PLANNING COORDINATION.—The Corporation
11 may coordinate community-wide planning among pro-
12 grams and projects.

13 “(n) YOUTH LEADERSHIP.—The Corporation may
14 support activities to enhance the ability of youth and
15 young adults to play leadership roles in national service.

16 “(o) NATIONAL PROGRAM IDENTITY.—The Cor-
17 poration may support the development and dissemination
18 of materials, including training materials, and arrange for
19 uniforms and insignia, designed to promote unity and
20 shared features among programs that receive assistance
21 under the national service laws.

22 “(p) SERVICE-LEARNING.—The Corporation shall
23 support innovative programs and activities that promote
24 service-learning.

1 **"SEC. 198A. CLEARINGHOUSES.**

2 “(a) ASSISTANCE.—The Corporation shall provide as-
3 sistance to appropriate entities to establish one or more
4 clearinghouses, including the clearinghouse described in
5 section 118.

6 “(b) APPLICATION.—To be eligible to receive assist-
7 ance under subsection (a), an entity shall submit an appli-
8 cation to the Corporation at such time, in such manner,
9 and containing such information as the Corporation may
10 require.

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

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

16 “(2) conduct research and evaluations concern-
17 ing community service;

18 “(3)(A) provide leadership development and
19 training to State and local community service pro-
20 gram administrators, supervisors, and participants;
21 and

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

1 “(4) facilitate communication among entities
2 carrying out community service programs and par-
3 ticipants;

4 “(5) provide information, curriculum materials,
5 technical assistance relating to planning and oper-
6 ation of community service programs, to States and
7 local entities eligible to receive funds under this title;

8 “(6)(A) gather and disseminate information on
9 successful community service programs, components
10 of such successful programs, innovative youth skills
11 curriculum, and community service projects; and

12 “(B) coordinate the activities of the clearing-
13 house with appropriate entities to avoid duplication
14 of effort;

15 “(7) make recommendations to State and local
16 entities on quality controls to improve the delivery of
17 community service programs and on changes in the
18 programs under this title; and

19 “(8) carry out such other activities as the
20 Chairperson determines to be appropriate.

21 **“SEC. 198B. PRESIDENTIAL AWARDS FOR SERVICE.**

22 “(a) PRESIDENTIAL AWARDS.—

23 “(1) IN GENERAL.—The President, acting
24 through the Corporation, may make Presidential

1 awards for service to individuals providing signifi-
2 cant service, and to outstanding service programs.

3 “(2) INDIVIDUALS AND PROGRAMS.—Not-
4 withstanding section 101(17)—

5 “(A) an individual receiving an award
6 under this subsection need not be a participant
7 in a program authorized under this Act; and

8 “(B) a program receiving an award under
9 this subsection need not be a program author-
10 ized under this Act.

11 “(3) NATURE OF AWARD.—In making an award
12 under this section to an individual or program, the
13 President, acting through the Corporation—

14 “(A) is authorized to incur necessary ex-
15 penses for the honorary recognition of the indi-
16 vidual or program; and

17 “(B) is not authorized to make a cash
18 award to such individual or program.

19 “(b) INFORMATION.—The President, acting through
20 the Corporation, shall ensure that information concerning
21 individuals and programs receiving awards under this sec-
22 tion is widely disseminated.

23 **“SEC. 198C. ASSISTANCE FOR HEAD START.**

24 “Under section 198, the Corporation may make
25 grants to, and contracts and cooperative agreements with,

1 public and nonprofit private agencies and organizations
 2 that receive grants and contracts under the Foster Grand-
 3 parent Program (part B of title II of the Domestic Vol-
 4 unteer Service Act of 1973), for projects of the type de-
 5 scribed in section 211(a) of such Act operating under
 6 memoranda of agreement with the ACTION Agency, for
 7 the purpose of increasing the number of low-income indi-
 8 viduals who provide services under such program to chil-
 9 dren who participate in Head Start programs.”.

10 (d) TABLE OF CONTENTS.—

11 (1) CIVILIAN COMMUNITY CORPS.—Section 1(b)
 12 of the National and Community Service Act of 1990
 13 (Public Law 101-610; 104 Stat. 3127) is amended
 14 by striking the items relating to subtitle E of title
 15 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”.

21 (D) Section 1094(b)(1) and subsections (b)
22 and (c)(1) of section 1095 of such Act are

1 amended by striking “subtitles B, C, D, E, F,
2 and G” and inserting “subtitles B, C, D, F, G,
3 and H”.

4 (2) NATIONAL AND COMMUNITY SERVICE ACT
5 OF 1990.—

6 (A) Section 153(a) of the National and
7 Community Service Act of 1990 (as redesign-
8 nated in subsection (b)(3) of this section) (42
9 U.S.C. 12653b(a)) is amended by striking
10 “195A(a)” and inserting “152(a)”.

11 (B) Section 154(a) of such Act (as redesign-
12 nated in subsection (b)(3) of this section) (42
13 U.S.C. 12653c(a)) is amended by striking
14 “195A(a)” and inserting “152(a)”.

15 (C) Section 155 of such Act (as redesign-
16 nated in subsection (b)(3) of this section) (42
17 U.S.C. 12653d) is amended—

18 (i) in subsection (a), by striking
19 “195H(c)(1)” and inserting “159(c)(1”;

20 (ii) in subsection (c)(2), by striking
21 “195H(c)(2)” and inserting “159(c)(2)”;
22 and

23 (iii) in subsection (d)(3), by striking
24 “195K(a)(3)” and inserting “162(a)(3)”.

1 (D) Section 156 of such Act (as redesignig-
2 nated in subsection (b)(3) of this section) (42
3 U.S.C. 12653e) is amended—

4 (i) in subsection (c)(1), by striking
5 “195H(c)(2)” and inserting “159(c)(2)”;
6 and

7 (ii) in subsection (d), by striking
8 “195K(a)(3)” and inserting “162(a)(3)”.

9 (E) Section 159 of such Act (as redesignig-
10 nated in subsection (b)(3) of this section) (42
11 U.S.C. 12653h) is amended—

12 (i) in subsection (a)—

13 (I) by striking “195A” and in-
14 serting “152”; and

15 (II) by striking “195” and in-
16 serting “151”; and

17 (ii) in subsection (c)(2)(C)(i), by
18 striking “195K(a)(2)” and inserting “sec-
19 tion 162(a)(2)”.

20 (F) Section 161(b)(1)(B) of such Act (as
21 redesignated in subsection (b)(3) of this sec-
22 tion) (42 U.S.C. 12653j(b)(1)(B)) is amended
23 by striking “195K(a)(3)” and inserting
24 “162(a)(3)”.

1 (G) Section 162(a)(2)(A) of such Act (as
2 redesignated in subsection (b)(3) of this sec-
3 tion) (42 U.S.C. 12653k(a)(2)(A)) is amended
4 by striking “195(3)” and inserting “151(3)”.

5 (H) Section 166 of such Act (as redesign-
6 nated in subsection (b)(3) of this section) (42
7 U.S.C. 12653o) is amended—

8 (i) in paragraph (2), by striking
9 “195D” and inserting “155”;

10 (ii) in paragraph (8), by striking
11 “195A” and inserting “152”;

12 (iii) in paragraph (10), by striking
13 “195D(d)” and inserting “155(d)”; and

14 (iv) in paragraph (11), by striking
15 “195D(c)” and inserting “155(c)”.

16 (f) EXTENSION OF AUTHORITY TO CONDUCT CIVIL-
17 IAN COMMUNITY CORPS.—Section 1092(c) of the National
18 Defense Authorization Act for Fiscal Year 1993 (Public
19 Law 102–484; 106 Stat. 2534), as amended by subsection
20 (e)(1) of this section, is further amended by adding at the
21 end the following new sentence: “The amount made avail-
22 able for the Civilian Community Corps Demonstration
23 Program pursuant to this subsection shall remain avail-
24 able for expenditure during fiscal years 1993 and 1994.”.

1 (g) ADDITIONAL AMENDMENT REGARDING CIVILIAN
2 COMMUNITY CORPS.—Section 158 of the National and
3 Community Service Act of 1990 (as redesignated in sub-
4 section (b)(3) of this section) (42 U.S.C. 12653g) is
5 amended by striking subsections (f), (g), and (h) and in-
6 serting the following new subsections:

7 “(f) NATIONAL SERVICE EDUCATIONAL AWARDS.—
8 A Corps member who successfully completes a period of
9 agreed service in the Corps may receive the national serv-
10 ice educational award described in subtitle D if the Corps
11 member—

12 “(1) serves in an approved national service po-
13 sition; and

14 “(2) satisfies the eligibility requirements speci-
15 fied in section 146 with respect to service in that ap-
16 proved national service position.

17 “(g) ALTERNATIVE BENEFIT.—If a Corps member
18 who successfully completes a period of agreed service in
19 the Corps is ineligible for the national service educational
20 award described in subtitle D, the Director may provide
21 for the provision of a suitable alternative benefit for the
22 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 eligible service lands are in disrepair or de-
15 graded and in need of labor intensive rehabilitation,
16 restoration, and enhancement work which cannot be
17 carried out by Federal agencies at existing personnel
18 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—