

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Legislative Affairs

Series/Staff Member: Jack Lew

Subseries:

OA/ID Number: 2391

FolderID:

Folder Title:

[H.R. 2010-Amendments Can Accept and Amendments Can't Accept] [binder]

Stack:

S

Row:

25

Section:

7

Shelf:

10

Position:

2



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

July 19, 1993
(House)

STATEMENT OF ADMINISTRATION POLICY

(THIS STATEMENT HAS BEEN COORDINATED BY OMB WITH THE CONCERNED AGENCIES.)

H.R. 2010 - National Service Trust Act of 1993
(Martinez (D) CA and 215 others)

The Administration strongly supports H.R. 2010. The bill establishes an innovative Corporation for National Service to offer Americans educational awards in return for service to their country. In addition, the bill provides for a variety of other programs to develop citizenship among Americans of all ages, ranging from elementary school "service learning" projects to the National Senior Volunteer Corps. Enactment of this legislation will encourage service by all citizens and reaffirm an American community that transcends race, region, or religion.

The Administration has concerns with a number of amendments to be considered on the floor. The Administration opposes amendments to H.R. 2010 that would: (1) require means-testing, (2) impose a "trigger" to limit availability of funds, (3) reduce educational awards, (4) weaken provisions regarding labor unions, or (5) otherwise weaken the bill.

Pay-As-You-Go Scoring

H.R. 2010 would affect direct spending and receipts; therefore, it is subject to the pay-as-you-go requirement of the Omnibus Budget Reconciliation Act of 1990 (OBRA). The bill does not contain provisions to offset the increased direct spending. Therefore, if this bill were enacted, its deficit effects could contribute to a sequester of mandatory programs.

OMB's preliminary scoring estimates for this bill are presented in the table below. Final scoring of this legislation may deviate from these estimates. If H.R. 2010 were enacted, final OMB scoring estimates would be published within five days of enactment, as required by OBRA. The cumulative effects of all enacted legislation on direct spending and receipts will be reported to Congress at the end of the congressional session, as required by OBRA.

Pay-As-You-Go Estimates (\$ in thousands)

	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1994-1998</u>
Outlays	*	*	*	*	*	500-750

* - less than \$500,000

TABLE OF CONTENTS

Amendments We Can Accept

Ford Amendment

Mineta Amendments

Goodling Amendment

Collins Amendment

Traficant Amendments

Watt Amendment

Hall Amendment

Vento Amendment

Solomon Amendment

Porter Amendment

Gingrich Amendment

DeLay Amendment

Amendments We Cannot Accept

Hefley Amendment	
Ballenger Amendment	
Goodling Amendment	
Stump Amendment	
Molinari Amendments	
Walker Amendment	
Porter Amendment	
Gingrich Amendments	
Baker Amendment	
DeLay Amendment	

Amendments We Can Accept

1. Mr. Ford
2. Mr. Mineta and Mr. Martinez have one amendment regarding the establishment of urban youth corps by both HUD and DOT. The amendment clarifies that "Secretary" is either the Secretary of HUD or the secretary of the Department of Transportation, and that the "appropriate executive departments of the Federal government" are HUD and Transportation.
3. Mr. Goodling will offer an amendment to extend the time period in which an individual could use their postservice benefit from 5 to 10 years.
4. Ms. Collins has an amendment to add an additional category of programs of national significance to the National Senior Volunteer Corps. This category would include programs that provide health, education and welfare services that augment the activities of State and local agencies, to be carried out in a fiscal year for which the aggregate amount of funds available to such agencies is not less than the annual average aggregate amount of funds available to such agencies for the period of 3 fiscal years preceding such fiscal year.
5. Mr. Traficant will have 2 amendments regarding "buy American" provisions. They provide that any entity mislabeling goods as "Made in America" is ineligible to receive funds, contracts or subcontracts; and that applicants for funds agree to comply with "Buy America" provisions.
6. Mr. Watt will offer an amendment to encourage coordination between national service projects and Federal programs that deal with the individuals and communities participating in or benefiting from national service projects.
7. Mr. Hall has an amendment to add programs that address hunger to the list of programs eligible for assistance.
8. Mr. Vento has an amendment to direct the Public Lands Corps within the Department of Interior and the Department of Agriculture to carry out disaster relief projects on non-federal lands.

9. Mr. Solomon will offer an amendment to score this under function 500 (Labor/HHS) instead out of HUD/VA.
10. Mr. Porter will offer an amendment that participants should be trained in risk management.
11. Mr. Gingrich will offer an amendment that no funds may be spent unless there are adequate appropriations to cover them.
12. Mr. DeLay has an amendment that states that service participants who are absent under Family and Medical Leave cannot count that absence toward their service requirement.

Amendments We Cannot Accept

1. Mr. Hefley will offer one amendment which would require that the Federal government pay all costs of any mandated activities regarding national service, including the setting up of a State Commission.
2. Mr. Ballenger will offer an amendment to strike the union concurrence language from the bill.
3. Mr. Goodling will offer an amendment to means-test the postservice educational benefit.
4. Mr. Stump will offer an amendment to limit the educational benefit to no greater than 80% of the educational benefit under the G.I. Bill.
5. Ms. Molinari will offer two amendments.
 - (1) An amendment to create a trigger that national service could not be funded until campus-based programs are funded at their current level and until the maximum Pell grant award has been increased to \$2,400.
 - (2) An amendment to eliminate the Federal share of the stipend, child care and health care for program participants and award only the educational benefit. She also proposes to increase the flexibility participants will have by reducing the number of required hours of service and allowing participants more time in which to complete their service.
6. Mr. Walker has an amendment which makes national service participants who are also qualified for enlistment in the armed services subject to being called into military service by the Secretary of Defense in the event of a national emergency declared by the President.
7. Mr. Porter has an amendment affecting the liability of service sponsors for their volunteers.
8. Mr. Gingrich

9. Mr. Baker has an amendment barring undocumented aliens from receiving services under the Act.
10. Mr. DeLay has an amendment to eliminate participants from coverage under the Family and Medical Leave Act.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

FORD AMENDMENT

Divider Title: _____

Amendments We Can Accept

1. Ford Amendment

H.R. 2010

By Mr. FORD of Michigan:

—Page 30, beginning on line 3, strike "paragraph (1)" and insert "subparagraph (A)".

—Page 11, line 18, insert the following after "cash": "(including not more than 85 percent of the cost of providing a health care policy described in section 140(d)(2))".

—Beginning on page 65, strike line 19 and all that follows through line 6 on page 66, and insert the following:

"(2) OPTION.—A State or other recipient of assistance under section 121 may elect to provide from its own funds a health care policy for participants that does not meet all of the standards established by the Corporation if the fair market value of such policy is equal to or greater than the fair market value of a plan that meets the minimum standards established by the Corporation.

—Page 62, line 4, insert "who participates on a full-time basis" after "participant".

—Page 63, strike line 6 through 11, and insert the following:

"(5) WAIVER OR REDUCTION OF LIVING ALLOWANCE.—The Corporation may waive or reduce the requirement of paragraph (1) with respect to such national service program if such program demonstrates that—

"(A) such requirement is inconsistent with the objectives of the program; and

"(B) the amount of the living allowance that will be provided to each full-time participant is sufficient to meet the necessary costs of living (including food, housing, and transportation) in the area in which the program is located.

"(6) EXEMPTION.—The requirement of paragraph (1) shall not apply to any program which was in existence on the date of enactment of the Nation Service Trust Act of 1933.

—Page 63, line 12, strike "(6)" and insert "(7)".

—Page 70, strike lines 18 through 23, and insert the following:

"(4) WAIVER OR REDUCTION OF LIVING ALLOWANCE.—The Corporation may waive or reduce the requirement of paragraph (1) with respect to such national service program if such program demonstrates that—

"(A) such requirement is inconsistent with the objectives of the program; and

"(B) the amount of the living allowance that will be provided to each full-time participant is sufficient to meet the necessary costs of living (including food, housing, and transportation) in the area in which the program is located.

"(5) EXEMPTION.—The requirement of paragraph (1) shall not apply to any program which was in existence on the date of enactment of the National Service Trust Act of 1933.

—Page 70, line 24, strike "(5)" and insert "(6)".

—Page 164, strike lines 8 through 7.

—Page 172, strike lines 14 through 16.

—Page 185, line 2, insert the following before the period at the end: ", and shall constitute assistance to an education program or activity for purposes of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.)"

—Page 199, after line 6, insert the following:

"(6) LIMITATION ON MEMBER PARTICIPATION.—

"(A) GENERAL LIMITATION.—Except as provided in subparagraph (B), a voting member of the State Commission (or of an alternative administrative entity) shall not participate in the administration of the grant program (including any discussion or decision regarding the provision of assistance or approved national service positions, or the continuation, suspension, or termination of such assistance or such positions, to any program or entity) described in subsection (e)(9) in any period during which there is pending before the Commission (or such entity) a grant application submitted by a program or entity of which such member is, or in the 1-year period before the submission of such application was, an officer, director, trustee, full-time volunteer, or employee.

"(B) EXCEPTION.—If, as a result of the operation of subparagraph (A), the number of voting members of the Commission (or of such entity) is insufficient to establish a quorum for the purpose of administering such program, then voting members excluded from participation by subparagraph (A) may participate in the administration of such program, notwithstanding the limitation in subparagraph (A), to the extent permitted by regulations issued under section 192A(h)(10) by the Corporation.

"(C) RULE OF CONSTRUCTION.—Subparagraph (A) shall be construed to limit the authority of any voting member of the Commission (or of such entity) to participate in—

"(i) discussions of, and hearing and forums on—

"(I) the general duties, policies, and operations of the Commission (or of such entity); or

"(II) the general administration of such program; or

"(ii) similar general matters relating to the Commission (or such entity).

—Page 211, line 24, strike "and" at the end.

—Page 212, line 2, strike the period at the end and insert "; and".

—Page 212, after line 2, insert the following:

"(10) for purposes of subsection (1)(2) and section 178(d)(6)(B), issue regulations to waive the disqualification of members of the Board and members of the State Commission (or of an alternative administrative entity) selectively in a random, nondiscretionary manner and only to the extent necessary to establish the quorum involved, including rules that forbid each member of the Board and each voting member of a State Commission (or of such entity) to participate in any discussion or decision regarding the provision of assistance or approved national service positions, or the continuation, suspension, or termination of such assistance or such positions, to any program or entity of which such member of the Board or such member of the State Commission (or of such entity) is, or in the 1-year period before the

submission of such application was, an officer, director, trustee, full-time volunteer, or employee.

"(1) LIMITATION ON PARTICIPATION.—

"(1) GENERAL LIMITATION.—Except as provided in paragraph (2), a member of the Board shall not participate in the administration of the grant program (including any discussion or decision regarding the provision of assistance or approved national service positions, or the continuation, suspension, or termination of such assistance or such positions, to any program or entity) described in section 121 in any period during which there is pending before the Corporation a grant application submitted by a program or entity of which such member of the Board is, or in the 1-year period before the submission of such application was, an officer, director, trustee, partner, full-time volunteer, or employee.

"(2) EXCEPTION.—If, as a result of the operation of paragraph (1), the number of members of the Board is insufficient to establish a quorum for the purpose of administering such program, then members excluded from participation by paragraph (1) may participate in the administration of such program, notwithstanding the limitation in paragraph (1), to the extent permitted by regulations issued under subsection (h)(10) by the Corporation.

"(3) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to limit the authority of a member of the Board to participate in—

"(A) discussions of, and hearings and forums on—

"(i) the general duties, policies, and operations of the Commission (or of such entity); or

"(ii) the general administration of such program; or

"(B) similar general matters relating to the Corporation.

Mr. Chairman. I have an amendment at the desk.

My amendment includes the following provisions. First, language that reflects a compromise between all interested parties about the provision of health insurance to participants in programs. Under this agreement, service sponsors wishing to offer an insurance package not in conformance with program standards but willing to pay 100% of the cost of health insurance must offer a policy equivalent in value to that which the Corporation may devise and may credit the cost of that health insurance against their matching requirement. The amendment also includes an agreement reached with Mr. Ballenger to eliminate even the perception of conflicts of interest among members of the proposed State Commissions and members of the Board of the proposed Corporation for National

Service. The amendment also makes it clear that these programs are like educational programs in matters of gender discrimination and sexual harassment are covered by Title IX. My amendment also includes a modification to the amendment offered in Committee by Mr. Owens to establish a minimum living allowance in stipended programs. In his modification, Mr. Owens provides flexibility to grandfather in existing programs that offer less than the minimum allowance, and offers a waiver to programs that demonstrate that the minimum living allowance is inconsistent with the objectives of the program and that a lower stipend is adequate for participants to meet the necessary costs of living in the area in which the program is located. Finally, the amendment strikes the authorizations for the Public Lands

Corps and the Urban Youth Corps created by amendments offered by Mr. Martinez and Mr. Miller to the bill. This provision reduces the direct cost of the bill by \$85 million.

As I indicated, Mr. Chairman, these provisions are the results of agreements between interested parties and are not controversial. I urge their adoption.



Office of Government Liaison

3211 4th Street N.E. Washington, DC 20017-1194 (202) 541-3140 FAX: (202) 541-3313 TELEX 7400424

July 19, 1993

The Honorable William D. Ford
Chairman, Education and Labor Committee
2181 Rayburn House Office Building
U. S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The United States Catholic Conference is very interested in H.R.2010, the National Service Trust Act of 1993. We would like to see Congress enact legislation in this area which would strongly encourage volunteerism in our society, especially through the non-profit sector.

The Catholic Church currently includes one of the largest volunteer networks in America, working with the largest non-profit group of agencies in our country. Furthermore, we believe we could provide a multitude of excellent placements for volunteers under this program.

We are encouraged by the mutual efforts to preclude any problems with this partnership; and, particularly with your agreement, to offer the following amendment on the floor to address a concern respecting the provision of health care to the volunteers:

- 1) On page 64, strike all that appears in lines 11 through 17.
- 2) On page 64, after line 10, add the following new paragraph (3) to section 140(d):

"(3) OPTION. A State or other recipient of assistance under section 121 may elect to provide from its own funds a health care policy for participants that does not meet all of the standards established by the Corporation provided that the fair market value of such policy is equal to or greater than the fair market value of a plan that meets the minimum standards established by the Corporation."

The Honorable William D. Ford
July 19, 1993
Page Two

- 3) On page 10, line 12, add the following after the word
"cash":

"(including up to 85 percent of the cost of providing a
health care policy described in section 140(d) (3)".

My very best wishes and personal regards.

Sincerely,


Frank J. Monahan
Director

FJM:lm

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

MINETA AMENDMENT

Divider Title: _____

Amendment by Mr. Mineta

JULY 1, 1993

AMENDMENT TO H.R. 2010 , AS REPORTED

OFFERED BY Mr. Mineta and Mr. Martinez

(Amends section 106 of the bill relating to the Urban Youth Corps)

Page 167, after line 19, insert the following new paragraph:

1 (5) The term "Secretary" means the Secretary
2 of Housing and Urban Development or the Secretary
3 of Transportation.

Page 167, beginning line 22, strike "appropriate executive departments of the Federal Government" and insert "Department of Housing and Urban Development and the Department of Transportation".

Page 168, line 1, strike "Secretaries of such departments" and insert "Secretary of Housing and Urban Development and the Secretary of Transportation".

Page 168, line 16, add after the period the following new sentence: "As part of the Urban Youth Corps established in the Department of Transportation, the Secretary of Transportation may make grants to States (and through States to local governments) for the purpose of establishing, operating, or supporting qualified urban youth corps that will perform appropriate service projects relating to transportation resources or facilities."

1. The Mineta Amendment clarifies that in the section of the bill relating to urban youth corps, the "Secretary" is either the Secretary of HUD or of Transportation and that the appropriate Federal departments are HUD and Transportation.

H.R.C.

**AMENDMENT TO H.R. 2010, AS REPORTED
OFFERED BY MR. MINETA OF CALIFORNIA**

Page 232, line 2, strike the closing quotation marks
and the final period.

Page 232, after line 2, insert the following new section
(and conform the table of contents accordingly):

1 "SEC. 196A. LIMITATION ON AUTHORITY TO TAKE CERTAIN
2 ACTIONS.

3 "Notwithstanding any other provision of law, the
4 Corporation or the Chairperson, as the case may be, shall
5 not—

6 "(1) allocate, expend, or transfer to any other
7 Federal agency funds made available under this Act
8 for construction, repairs, or capital improvements;

9 "(2) enter into a lease for real property; or

10 "(3) dispose of surplus real property;
11 without receiving prior concurrence from the Committee
12 on Public Works and Transportation of the House of Rep-
13 resentatives and the Committee on Environment and Pub-
14 lic Works of the Senate."

MINETA AMENDMENT #2

1. The amendment prohibits the Corporation from spending funds appropriated under this act for construction, repairs, or capital improvements or leasing real property, or disposing of surplus real property without the approval of relevant House and Senate Committees.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

GOODLING AMENDMENT

Divider Title: _____

Goodling Amendment

TO H.R. 2010,

BY MR. GOODLING

Page 77, line 6, strike "FIVE-YEAR" and insert "TEN-YEAR".

Page 77, lines 9 and 19, strike "5-year" and insert "10-year".

3. Amend Goodling to "seven years."

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

COLLINS AMENDMENT

Divider Title: _____

Amendment To H.R. 2010, As Reported

Offered by Mrs. Collins of Illinois

Page 265, line 2, strike the close quotation marks
and the semicolon.

Page 265, after line 2, insert the following:

1 “(18) Programs that provide health, education,
2 and welfare services that augment the activities of
3 State and local agencies, to be carried out in a fiscal
4 year for which the aggregate amount of funds avail-
5 able to such agencies is not less than the annual av-
6 erage aggregate amount of funds available to such
7 agencies for the period of 3 fiscal years preceding
8 such fiscal year.”;

1. Adds to programs of national significance in the Retired and Senior Volunteer Program (RSVP), programs that provide health, education, and welfare services that augment the activities of state and local agencies. Also has maintenance of effort language to prevent supplantation of state or local funds.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

TRAFICANT AMENDMENTS

Divider Title: _____

Traficant Amendments

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2010

By Mr. TRAFICANT:

—At the end of the bill add the following new sections:

SEC. 404. DOMESTIC EMPLOYMENT

No funds shall be made available under this Act to any entity that does not certify that all individuals employed by such entity are individuals authorized by law to work in the United States.

—At the end of the bill, insert the following (and conform the table of contents accordingly):

SEC. 407. PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA

If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or sub-contract made with funds appropriated to carry out this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

—At the end of the bill insert the following (and conform the table of contents of the bill):

TITLE V—GENERAL PROVISIONS

SEC. 801. COMPLIANCE WITH BUY AMERICAN ACT.

No funds appropriated pursuant to this Act (including the amendments made by this Act) may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act").

SEC. 802. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

(a) **PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.**—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided under this Act (including the amendments made by this Act), it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) **NOTICE TO RECIPIENTS OF ASSISTANCE.**—In providing financial assistance under this Act (including the amendments made by this Act), the Secretary of Education shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

1. Amendments provide that no funds shall go to a program sponsor that does not certify that all of its employees are legally authorized to work in the U.S.
2. Any person who is found to have mislocated goods "Made in America" shall be ineligible to receive funds or contracts or subcontracts.
3. Applicants agree to comply with Buy America provisions.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

WATT AMENDMENT

Divider Title: _____

TO H.R. 2010

BY MR. WATT

Page 212, after line 2, add the following new subsection:

1 “(i) COORDINATION WITH OTHER FEDERAL
2 ACTIVITIES.—As part of the agenda of meetings of the
3 Board under subsection (a), the Board shall review
4 projects and programs conducted or funded by the Cor-
5 poration under the national service laws to improve the
6 coordination between such projects and programs and the
7 activities of other Federal agencies that deal with the indi-
8 viduals and communities participating in or benefiting
9 from such projects and programs. The ex officio members
10 of the Board specified in section 192(a)(3) shall jointly
11 plan, implement, and fund activities in connection with
12 projects and programs conducted under the national serv-
13 ice laws to ensure that Federal efforts attempt to address
14 the total needs of participants, their communities, and the
15 persons and communities they serve.

1. Amendment provides that ex-officio members of the Board shall jointly plan, implement, and fund activities in connection with national service projects to ensure that the Federal government tries to meet the total needs of participants, their communities, and the persons and communities they serve.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

HALL AMENDMENT

Divider Title: _____

JULY 14, 1993

**AMENDMENT TO H.R. 2010, AS REPORTED
OFFERED BY MR. HALL OF OHIO**

(This amendment is submitted for printing under clause 6 of
Rule XXIII)

Page 18, line 20, strike "(14)" and insert in lieu
thereof the following:

1 (14) A program that seeks to eliminate hunger
2 in communities and rural areas through service in
3 projects—

4 “(A) involving food banks, food pantries,
5 and nonprofit organizations that provide food
6 during emergencies;

7 “(B) involving the gleaning of prepared
8 and unprepared food that would otherwise be
9 discarded as unusable so that the usable por-
10 tion of such food may be donated to food banks,
11 food pantries, and other nonprofit organiza-
12 tions;

13 “(C) seeking to address the long-term
14 causes of hunger through education and the de-
15 livery of appropriate services; or

16 “(D) providing training in basic health,
17 nutrition, and life skills necessary to alleviate
18 hunger in communities and rural areas.

19 “(15)

! The Hall amendment establishes a new category of service program that seeks, through service, to eliminate hunger by participation in food banks, gleaning of food, education about hunger, and nutrition and basic life skills necessary to alleviate hunger.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

VENTO AMENDMENT

Divider Title: _____

**AMENDMENT TO H.R. 2010, AS REPORTED
OFFERED BY MR. VENTO OF MINNESOTA**

Page 157, line 16, insert after the period the following:

"The Secretaries may also authorize appropriate conservation projects and other appropriate projects to be carried out on federal, state, local or private lands as part of disaster prevention or relief efforts in response to an emergency or major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)".

1. The Vento amendment would authorize the Secretary of Agriculture and the Secretary of the Interior to direct the Public Lands Corps authorized by H.R. 2010 to carry out appropriate disaster prevention and relief projects on federal, state, local or private lands. In the bill as reported by the Committee on Education and Labor, the Public Lands Corps is limited to carrying out projects on Indian lands and federal lands administered by the Departments of Agriculture and Interior. This amendment would give the Secretaries greater flexibility to respond to emergencies and disasters such as the widespread flooding in the Midwest.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

SOLOMON AMENDMENT

Divider Title: _____

AMENDMENT TO H.R. 2010, AS REPORTED
OFFERED BY MR. SOLOMON OF NEW YORK

(Amendment submitted for printing under clause 6 of rule XXIII)

Page 247, after line 3, strike the close quotation marks and the final period.

Page 247, after line 3, insert the following new subsection:

1 "(d) SPECIFICATION OF BUDGET FUNCTION. -- The authorizations of appropriations
2 contained in this section shall be considered to be a component of budget function 500 as used
3 by the Office of Management and Budget to cover education, training, employment, and social
4 services, and, as such, shall be considered as related to the programs of the Departments of
5 Labor, Health and Human Services, and Education for budgetary purposes."

Page 284, after line 4, insert the following new paragraph:

1 "(5) SPECIFICATION OF BUDGET FUNCTION. -- The authorizations of appropriations
2 contained in this subsection shall be considered to be a component of budget function 500 as
3 used by the Office of Management and Budget to cover education, training, employment and
4 social services, and, as such, shall be considered as related to the programs of the Departments
5 of Labor, Health and Human Services, and Education for budgetary purposes."

2. TALKING POINTS: NATIONAL SERVICE and VA BUDGET

- 1. National Service is not being funded at the expense of Veterans.**
- 2. In FY 1993, the HUD-VA subcommittee 602 allocation was \$66.172 billion. The FY 1994 baseline was \$67.958 billion and the FY 1994 allocation was \$68.311 billion, an increase of \$353 million over the baseline. Every existing program in the HUD-VA bill could have been funded at current services and \$353 million would remain to fund the Clinton initiative.**
- 3. The HUD bill includes \$68 billion in discretionary BA. About 3/4 of the outlays come from two accounts--VA medical care and NASA. The tradeoff in this bill is between space and veterans. National Service accounts for a minuscule percentage of BA in the bill.**
- 4. In 1993, the VA was funded at \$34.6 billion. President Clinton requested \$35.8 billion, and the subcommittee allocated \$35.7 billion, an increase of \$1.2 billion over FY 1993. Virtually all of the difference between the appropriation and the President's request is attributable to the Veterans Department hiring lower graded personnel and lower costs for pharmaceutical products.**
- 5. Veterans health care is funded at \$15.5 billion--an increase of \$900 million over the FY 1993 level. VA medical and prosthetic research funding is increased by \$46 million over last year.**
- 6. The total amount necessary to fund the National Service initiative at requested levels (\$389 million) amounts to less than 2/3 of one percent of the discretionary budget authority in the VA/HUD appropriation.**

7. **Mr. Solomon believes that National Service should be funded by the Labor-HHS subcommittee because it is fundamentally an education program. The HUD-VA bill includes NASA which funds research and development in universities including minority universities, various education programs, the National Science Foundation which includes \$2.2 billion for research and related activities, \$50 million for academic research facilities and instrumentation, and \$556 million for education and human resource program. The fundamental criterion here seems to be not what the agency does, but whether it is an independent agency.**

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

< BLANK >

Divider Title: _____

F:\JE\HR2010RH\PORTER.006

**Amendment To H.R. 2010, As Reported
Offered by Mr. Porter of Illinois**

Page 24, line 19, strike "and" at the end.

Page 24, line 21, strike the period and insert "
and".

Page 24, after line 21, insert the following:

- 1 “(6) encourage national service programs to ad-
- 2 here to risk management procedures, including the
- 3 training of participants in appropriate risk manage-
- 4 ment practices.

Risk Management Training Amendment

Explanation:

Section 101 of H.R. 2010 amends the 1990 National Service Act to, among other provisions, create a new Section 125(a) which authorizes the Corporation for National Service to conduct training programs (directly or by grant or contract) to help national service programs --

- 1* identify and meet needs,
- 2* promote leadership development,
- 3* improve quality,
- 4* develop management/budget skills and
- 5* train participants

The Amendment adds a sixth objective for the training programs: to "encourage national service programs to adhere to risk management procedures including the training of participants in appropriate risk management practices."

The purpose of the amendment is to clarify that training grants to promote risk management activities by national service programs are allowable under this section and that the Corporation for National Service should strongly consider making such grants (arguably risk management is subsumed under objectives 4 and 5 above, but it is an important enough matter that they should be separately stated to ensure that the Corporation gives this matter due consideration).

Risk management is the logical analog to volunteer protection -- there is no better protection from lawsuits than adherence to practices, policies and procedures which minimize risk and the likelihood of injury. Risk management involves a number of practices but, at its most basic, involves the training of employees and volunteers to avoid situations and conditions which pose an unnecessary risk of injury to others, and to identify such conditions and circumstances.

The National Service Trust Act envisions participants and programs being involved in a wide variety of activities. Some of these activities are known for their potential for giving rise to litigation, such as --

- * "addressing unmet environmental needs" (Sec. 122(a)),
- * "a professional corps programs that recruits, trains and places qualified participants in positions as....teachers, nurses, police officers, early childhood development staff..." (Section 122(a)(8)),
- * "disaster relief" (Section 126(b)).

These are all worthwhile activities, but they should not be undertaken without proper risk management training. The Amendment simply assures that the Corporation for National Service gives due consideration to the need to provide such training for national service programs and participants.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

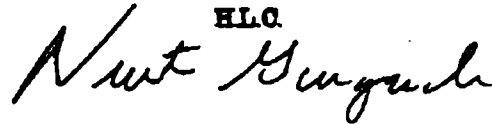
GINGRICH AMENDMENT

Divider Title: _____

EL CMTE 1040 LHOB
SEN: BT:55457ID:202-225-3277
; 7-16-93 ; 4:38PM ;JUL 19'93
LEGISLATIVE COUNSEL-12:29 No.022 P.04
2022261010:# 4/ 5

F:\GMR\HR2010RE\AMEND.003

H.L.G.



JULY 16, 1993

AMENDMENT TO H.R. 2010, AS REPORTED**OFFERED BY _____**(This amendment is submitted for printing under clause 6 of
Rule XXIII)

Page 245, after line 16, insert the following new section (and conform the table of contents accordingly):

1 **SEC. 204. ACTIONS UNDER THE NATIONAL SERVICE LAWS**
2 **TO BE SUBJECT TO THE AVAILABILITY OF AP-**
3 **PROPRIATIONS.**

4 No action involving the obligation or expendi-
5 ture of funds may be taken under a national service
6 law (as defined in section 101(14) of the National
7 and Community Service Act of 1990 (42 U.S.C.
8 12511(14)) unless and until the Corporation for Na-
9 tional Service has sufficient appropriations available
10 at the time such action is taken to satisfy the obliga-
11 tion to be incurred or make the expenditure to be
12 made.

July 16, 1993

GINGRICH AMENDMENT #1

The amendment states that the Corporation for National Service must have sufficient funds appropriated to it to meet any obligation or make any expenditure before it can make the obligation or expenditure.

Clinton Presidential Records Digital Records Marker

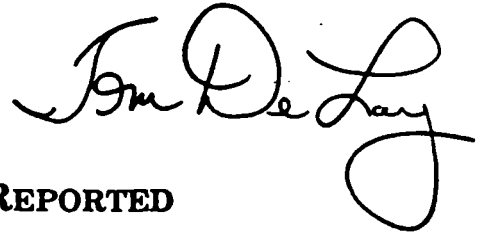
This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

DELAY AMENDMENT

Divider Title: _____

JULY 19, 1993



AMENDMENT TO H.R. 2010, AS REPORTED

OFFERED BY MR. DELAY OF TEXAS

or his designee

(This amendment is submitted for printing under clause 6 of
Rule XXIII)

Page 183, line 11, strike the close quotation marks
and the final period.

Page 183, after line 11, insert the following:

“(c) TREATMENT OF ABSENCE.—The period of any
absence of a participant from a service position pursuant
to title I of the Family and Medical Leave Act of 1993
or subchapter V of chapter 63 of title 5, United States
Code, shall not be counted toward the completion of the
term of service of the participant under section 139 of
this Act.”.

DeLAY AMENDMENT #2

1. This amendment clarifies that service participants covered by the Family and Medical Leave Act who are absent from a service position for reasons covered by the Act shall not be able to count their absence toward the completion of their term of service.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

AMENDMENTS AGAINST

Divider Title: _____

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

< BLANK >

Divider Title: _____

TO H.R. 2010,
BY MR. HEFLEY.

Page 218, after line 6, insert the following new subsection:

1 “(f) FULL FUNDING OF COSTS TO STATE AND
2 LOCAL GOVERNMENTS OF REQUIREMENTS UNDER NA-
3 TIONAL SERVICE LAWS.—Notwithstanding any other pro-
4 vision of law, a national service law may not impose any
5 requirement that a unit of State or local government con-
6 duct an activity (including the requirement that a State
7 maintain a State Commission pursuant to section 178 or
8 a requirement that such a government meet national
9 standards in providing a service) unless and until all
10 amounts necessary to pay the direct costs incurred by the
11 unit in conducting the activity are provided to the unit
12 by the Government of the United States.

TALKING POINTS ON HEFLEY AMENDMENT

- 1. The amendment states that national service legislation may not impose any requirement on a unit of local or state government unless, and until, all the direct costs incurred by the unit in conducting the activity are provided to the unit by the Federal government.**
- 2. This amendment is inappropriate. Participation in the national service program is voluntary. No state or unit of a state is forced to participate.**
- 3. To address the issue raised by the Hefley amendment, the bill authorizes \$17.5 million to assist states to establish or operate state commissions. Each state may receive up to \$500,000 for this purpose.**
- 4. The bill requires that the Federal government contribute 85 percent of the cost of such commissions in the first year, and 50 percent in the 5th year. States must take the program seriously and invest some of their own resources in it.**
- 5. The program is intended to spur partnerships between local program sponsors, states, and the Federal government. The Hefley amendment would federalize the program, exposing it to charges that the Feds were "imposing" a program on the American people.**
- 6. We could solve Mr. Hefley's problem by having the Feds pay 100% of all direct costs and either increasing the authorization or reducing services. Neither option is desirable.**
- 7. Mr. Hefley is also concerned that the 5 percent cap on administrative costs is too low. This level will force states to think and plan carefully and avoid the creation of large, inefficient bureaucracies.**

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

BALLENGER AMENDMENT

Divider Title: _____

Bullenger Amendment

AMENDMENTS

Under clause 8 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2010

By Mr. BALLENGER:

—In section 129(d)(7) of the National and Community Service Act of 1990, as added by section 101(b) of the bill, strike "(including labor organizations)".

—In section 130(b) of the National and Community Service Act of 1990, as added by section 101(b) of the bill, strike paragraph (12) and insert the following:

"(12) A description of the manner and extent to which participants, representatives of the community served, and community-based agencies with a demonstrated record of experience in providing services contributed to the development of the national service programs referred to in paragraphs (1) and (2).

—In section 130 of the National and Community Service Act of 1990, as added by section 101(b) of the bill—

(1) strike subsection (e), and

(2) redesignate subsection (f) as subsection (e).

—In section 131(c) of the National and Community Service Act of 1990, as added by section 101(b) of the bill, strike paragraphs (1) through (3), and insert the following:

"(1) provide in the design, recruitment, and operation of the program for broad-based input from—

"(A) the community served and potential participants in the program; and

"(B) community-based agencies with a demonstrated record of experience in providing services, if these entities exist in the area to be served by the program; and

"(2) in the case of a program that is not funded through a State, consult with and coordinate activities with the State Commission for the State in which the program operates.

—In section 114(d)(5) of the National and Community Service Act of 1990, as added by section 103(a) of the bill—

(1) strike subparagraphs (A), and

(2) redesignate subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

—In section 119(d)(2) of the National and Community Service Act of 1990, as added by section 103(a), strike subparagraph (B) and insert the following:

"(B) assurances that the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and grievance procedure requirements of section 176(f); and

TALKING POINTS on BALLENGER AMENDMENT

The amendment deletes requirements for consultation on community service program applications and placements with local unions representing employees engaged in the same or similar work in the community. The amendment also deletes a requirement that a program applicant secure the concurrence of any labor organization representing its employees who are doing work which is the same or similar to that proposed to be carried out by participants assigned to the program applicant. The provision only would apply to service sponsors whose employees belong to a labor organization.

The Ballenger amendment should be opposed for the following reasons:

- 1. LABOR UNION CONSULTATION/CONCURRENCE PROVISIONS ARE CRITICAL SAFEGUARDS AGAINST SUBSTITUTION AND DISPLACEMENT OF THE REGULAR WORKFORCE.**

As stated in the bill, a primary purpose is "to meet the unmet, human, education, environmental, and the public safety needs of the United States, without displacing existing workers." Local unions which represent employees in the workplace have a critical stake in the degree to which a national service program achieves this objective. If the program fails in this regard, it will replace regular jobs with stipended workers without employee status, interfere with and erode collective bargaining agreements, and create a downward drag on wages and benefits in local labor markets.

Union consultation and concurrence are the means by which non-displacement provisions are given teeth. The point of the language is to protect full-time employees from being inadvertently undercut by national service participants.

The union concurrence provision in particular will provide for real and meaningful involvement of local employee organizations in program planning to ensure that displacement does not occur.

2. THE UNION CONCURRENCE REQUIREMENT DOES NOT CREATE A "CONFLICT OF INTEREST."

Representative Ballenger maintains that the union consultation/concurrence provisions of H.R. 2010 create a conflict of interest since local unions can apply to sponsor local service projects. This contention is not based in fact:

1. The union consultation provision is advisory only and has not caused any conflict-of-interest situations under existing programs.
2. The union concurrence provision is employer-specific and would not apply to non-union applicants. A union applicant could not concur on its own application. Instead, only a local union representing employees working for a union applicant could concur on the application.
3. When required, local union concurrence is only one part of the application process. Even with local union concurrence, an application will be evaluated on the same grounds as other applications and can be rejected.

3. UNION CONSULTATION/CONCURRENCE PROVISIONS WILL STRENGTHEN LOCAL COMMUNITY INVOLVEMENT IN DEVELOPING LOCAL SERVICE ACTIVITIES.

An important goal of the national service program is for local communities to develop and carry out their own local service activities.

The union consultation/concurrence provisions create a process for local unions representing employees in the workplace and service sponsors to work together to develop an inventory of unmet needs and activities which do not duplicate work already being performed by employees of the service sponsor.

Activities which meet this standard cannot be dictated from Washington. They will vary from locality to locality. For example, one community may have an extensive child care system, while another may have very little publicly financed child care. One community may have extensive after-school activities, while another may not.

4. THE AMENDMENT GOES AGAINST 20 YEARS OF ESTABLISHED FEDERAL POLICY.

There is a long history of union comment/consultation provisions in federal employment and training programs. Union comment provisions go back at least to the Comprehensive Employment and Training Act (CETA) of the 1970's and are part of the Job Training Partnership Act. The National and Community Service Act itself currently includes a union consultation requirement.

5. THERE IS PRECEDENCE FOR UNION CONCURRENCE UNDER FEDERAL AND STATE PROGRAMS.

Many current youth corps programs work with local unions and will not start projects without local union agreement. In addition, other federal and state programs provide for union concurrence. These include the Community Works Progress Demonstrations in H.R. 11, an omnibus tax bill passed by Congress but vetoed by President Bush last fall, the Washington State welfare program, and the Youth Incentive Entitlement Program under CETA.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

GOODLING AMENDMENT

Divider Title: _____

TO H.R. 2010,
BY MR. GOODLING

Page 83, line 8, insert before the semicolon the following: "or an unsubsidized loan pursuant to section 428H (20 U.S.C. 1078-8)".

Page 86, beginning on line 17, strike out paragraph (6) and insert the following:

1 “(6) MAXIMUM AWARD NOT TO EXCEED FINAN-
2 CIAL NEED.—The portion of an eligible individual's
3 total available national service educational award
4 that may be disbursed under this subsection for any
5 period of enrollment shall not exceed \$5,000, and
6 shall not, when combined with any other student fi-
7 nancial assistance available to the individual (exclud-
8 ing any loan to such individual or such individual's
9 parents), exceed the student's financial need as de-
10 termined under part F of title IV of the Higher
11 Education Act of 1965:

Page 90, after line 19, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

1 (4) ELIGIBILITY FOR PERKINS LOANS.—Sec-
2 tion 464(b) of the Higher Education Act of 1965
3 (20 U.S.C. 1087dd(b)) is amended by adding at the
4 end the following new paragraph:

5 “(3) The amount of the loan to any student for any
6 academic year shall not exceed the difference between—

7 “(A) the student’s estimated cost of attendance
8 (as determined under section 472); and

9 “(B) such student’s estimated financial assist-
10 ance (as determined under section
11 428(a)(2)(C)(i)).”.

MAJORITY MEMBERS

WILLIAM D. FORD, MICHIGAN
Chairman

WILLIAM (BILL) CLAY, MISSOURI
GEORGE MILLER, CALIFORNIA
AUSTIN J. MURPHY, PENNSYLVANIA
DALE E. KILDEE, MICHIGAN
PAT WILLIAMS, MONTANA
MATTHEW G. MARTINEZ, CALIFORNIA
MAJOR R. OWENS, NEW YORK
THOMAS C. SAWYER, OHIO
DONALD M. PAYNE, NEW JERSEY
JOLENE UNSOLD, WASHINGTON
PATSY T. MINK, HAWAII
ROBERT E. ANDREWS, NEW JERSEY
JACK REED, RHODE ISLAND
TIM ROEMER, INDIANA
ELIOT L. ENGEL, NEW YORK
XAVIER BECERRA, CALIFORNIA
ROBERT C. "BOBBY" SCOTT, VIRGINIA
GENE GREEN, TEXAS
LYNN C. WOOLSEY, CALIFORNIA
CARLOS A. ROMERO-BARCELO, PUERTO RICO
RON KLING, PENNSYLVANIA
KARAN ENGLISH, ARIZONA
TED STRICKLAND, OHIO
RON DE LUCA, VIRGIN ISLANDS
ENI F. H. FALEOMAVAEGA, AMERICAN SAMOA
SCOTTY BAESLER, KENTUCKY



COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES

2181 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6100

July 13, 1993

MINORITY MEM

WILLIAM F. GOODLING, P.
THOMAS E. PETRI, WISC.
MARGE ROUKEMA, NEW JERS.
STEVE GUNDERSON, WISCONSIN
RICHARD K. ARMEY, TEXAS
HARRIS W. FAWELL, ILLINOIS
PAUL B. HENRY, MICHIGAN
CASS BALLENGER, NORTH CAROLINA
SUSAN MOLINARI, NEW YORK
BILL BARRETT, NEBRASKA
JOHN A. BOEHNER, OHIO
RANDY "DUKE" CUNNINGHAM, CALIFORNIA
PETER HOEKSTRA, MICHIGAN
HOWARD "BUCK" MCKEON, CALIFORNIA
DAN MILLER, FLORIDA

MAJORITY—(202) 225-4527
(TTY)—(202) 228-3372
MINORITY—(202) 225-3725
(TTY)—(202) 228-3113

The Honorable William D. Ford
Chairman
Committee on Education & Labor
2181 Rayburn House Office Building
Washington, D.C. 20515-3819

Dear Bill:

I have reviewed the concerns you expressed with regard to the amendment that I offered during Full Committee consideration of H.R. 2010 to require that the educational stipends provided to students completing national service be "need based."

I continue to believe that my original amendment, when combined with H.R. 2010's conforming amendments to section 428(a)(2)(C) of the Higher Education Act, insures that educational awards received by national service participants are packaged in accordance with the student aid packaging guidelines set out in the Higher Education Act. Nonetheless, I have modified my amendment to make it explicit that your concerns are addressed. In fact, in reviewing the amendment we found that under H.R. 2010 a student could take out a Perkins loan before using their national service educational stipend, so we closed that loop in our re-draft of the amendment.

Bill, I feel so strongly that at a time when the federal student aid budget is being reduced, any new funding for postsecondary educational awards must go only to those who need them. For this reason, I intend to offer this amendment when H.R. 2010 is considered on the floor. I hope that we can resolve our technical difficulties over this amendment and engage in debate over the real substance of the amendment during full House consideration of the bill.

If this new language does not satisfy your concerns, please call me.

Sincerely,

BILL GOODLING
Ranking Republican Member

WFG/rmd

TALKING POINTS: MEANS TESTING EDUCATIONAL AWARDS

1. Participants who perform identical work ought to receive identical benefits. The Goodling amendment precludes this: Three examples follow:

Let's look at a typical college student's family from PA. This family will have two parents, two children, one in college, a student with minimal income. The parents have no major assets other than a home or family farm.

The average cost of attendance for a community college is \$4,500, for a public institution is \$5,500, and for a private institution is \$14,800.

If the typical student from our typical family had earned a national service award and was attending a public institution, he or she would have the \$5,000 award reduced if his or her parents earned more than \$23,500. They would receive no award if their parents earned more than \$48,500.

If our typical student had earned a national service award and was attending a private institution, he or she would have their \$5,000 award reduced if his or her parents earned more than \$63,500. They would receive no award if the parents earned more than \$80,000.

If our typical student had earned a national service award and was attending an average priced community college, they would have their \$5,000 award reduced no matter how little their parents earned. They would receive no award if their parents earned more than \$45,000.

2. Goodling doesn't only exclude the rich. In the case of the student attending a four year public institution and the student attending a community college, students whose parents earned less than \$50,000 would receive no award.

3. Means testing limits diversity and undermines the effort to instill an ethic of service in all Americans. The bill includes specific outreach programs, and targets funds to areas of economic distress and places a priority on the recruitment of participants from areas of economic distress. These are effective mechanisms to ensure diversity.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

STUMP AMENDMENT

Divider Title: _____

Molinari Trigger Amendment

—In section 501(a) of the National and Community Service Act of 1990, as added by section 301 of the bill, insert the following after paragraph (3):

"(4) PREREQUISITE FOR FUNDING FOR NATIONAL SERVICE EDUCATIONAL AWARDS.—Notwithstanding paragraph (2), no funds are authorized to be appropriated for any fiscal year to provide national service educational awards under subtitle D of title I unless—

"(A) the amount appropriated for such fiscal year for each of the following programs is at least equal to the amount appropriated for such program for fiscal year 1993:

"(i) the college work-study program under part C of title IV of the Higher Education Act of 1965;

"(ii) the supplemental educational opportunity grant program under subpart 3 of part A of title IV of such Act;

"(iii) the State student incentive grant program under subpart 4 of part A of title IV of such Act; and

"(iv) the Perkins loan program under part E of title IV of such Act; and

"(B) the amount appropriated for such fiscal year for the Pell grant program under subpart 1 of part A of title IV of such Act is sufficient to provide a maximum grant in an amount equal to or in excess of \$2,400.

space station we will say that we have put our past squabbles behind us and are committed to working together with our allies to put a functional space station into orbit.

By ordering its redesign the President has taken firm control of NASA and the space station. The redesigned version selected by President Clinton will save \$1.6 billion while preserving the integrity and mission of the space station. I urge my colleagues to stand behind the President and to reaffirm our commitment to space exploration by voting against any measure to reduce or eliminate the space station program.

AMENDMENTS TO H.R. 2010, THE NATIONAL SERVICE TRUST ACT

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 1993

Ms. MOLINARI. Mr. Speaker, I have submitted for printing under clause 6 of rule XXIII two amendments to be made in order to the National Service Trust Act, H.R. 2010.

During consideration of the National Service Trust Act by the Education and Labor Committee, I offered these two amendments, both of which I plan to offer when the full House considers this bill.

My first amendment is intended to ensure that, in our effort to provide Federal support for National Service, we do not damage programs that currently help students with economic need gain access to higher education. This concern is very real—several post-secondary education assistance programs were cut in President Clinton's fiscal year 1994 budget proposal.

The amendment would create a three part funding trigger before funds could be made available for the national service trust program. Before this new program is funded: First, the three campus-based programs—work study, supplemental educational opportunity grants, Perkins loans—would have to be funded at their fiscal year 1993 levels; second, the State Student Incentive Grant Program would have to be funded at its fiscal year 1993 levels; and third, the Pell Grant Program would have to be funded at a level sufficient to return the maximum student award to fiscal year 1992 levels of \$2,400.

It is crystal clear that we are in a zero-sum game when it comes to funding for education programs. Many of us on both sides of the aisle are concerned about this robbing-Peter-to-pay-Paul approach. In fact, when I offered this amendment during the Education and Labor Committee markup, two Democrats supported my amendment.

My second amendment is intended to open the National Service Program up to thousands more individuals and foster a more pure volunteerism rather than creating public service employment.

The amendment would reduce the term of service participants next complete to receive a \$5,000 educational award. Participants will have up to 2 years to complete 1,000 hours of service. This will allow individuals to serve their communities while having the autonomy to decide their volunteer activities.

The amendment would also eliminate the Federal stipend, health care, and child care

costs. The elimination of these Federal funds would allow thousands more people to participate under this program.

Simply put, my amendment would provide a \$5,000 educational award per term for 1,000 hours of service and would allow approximately 77,800 individuals to participate in fiscal year 1994.

Contrast those numbers to the administration's proposal which only covers 25,000 individuals. Additionally, the cost under the administration's proposal for fiscal year 1994 is estimated to be \$15,560 per year per participant—\$5,000 for the educational award and \$10,560 to support the stipend, health, and child care costs.

Under my amendment, using the administration's request for \$389 million for fiscal year 1994—the number of slots available under this program would go from 25,000 to 77,800 participants per year.

National service has a long and distinguished role in our society. I want to express my support for the concept of this bill, and I want to be able to support legislation to increase service throughout our country. But I have very serious concerns with this bill and, therefore, will be seeking to offer these amendments.

FEDERAL FACILITIES COMMUNITY OVERSIGHT FOR PUBLIC HEALTH ACT OF 1993

HON. JAMES H. BILBRAY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 1993

Mr. BILBRAY. Mr. Speaker, I am very pleased to be introducing this legislation with my colleague and fellow westerner, BILL RICHARDSON.

Our bill authorizes the creation of site-specific citizens advisory boards at each Department of Energy defense nuclear facility. This action will ensure that the Department of Energy clean-up and restoration activities at these facilities will be fully accountable to each local community. Not only do we provide the community with a voice in the clean-up process and the waste management activities, we are fully empowering that voice by providing the community with all information.

We give the U.S. Public Health Service a clear mandate, adequate funding and personnel to carry out the essential health assessments at each and every site utilized for U.S. nuclear research.

The bill affirms Government's commitment to take care of its citizens. It makes clear that communities near DOE sites have the same public health protections now enjoyed by people who live adjacent to industrial Superfund sites.

These public health protections begin with answers to questions that have gone unanswered for too long:

Has a community been subjected to life threatening diseases because of pollution from the DOE facility in its backyard?

Do the community's children lag behind their peers because of contamination from a nearby doe facility?

For too long, the answers to those questions have been assertions by the Department of Energy that no DOE activity ever harmed

anyone's health. These statements of no harm have to be set aside for the Government to affirm its commitment to take care and protect communities who live near a DOE site. Fundamental public health questions about DOE facilities have to be asked again.

This legislation guarantees that these questions will be answered by an agency of the U.S. Public Health Service, not the Department of Energy. The bill clarifies that the Agency for Toxic Substances and Disease Registry [ATSDR]—the Environmental Public Health Agency—will do for communities living near Department of Energy facilities what it now does at other Superfund sites: identify and prevent harm to people's health whose life has been diminished because of needless exposure to environmental pollution.

CRAIGMONT HIGH SCHOOL—A BLUE RIBBON SCHOOL

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 1993

Mr. SUNDQUIST. Mr. Speaker, I am delighted to call the attention of my colleagues to the recognition recently given Craigmont High School in Memphis. Craigmont, under the leadership of a superb educator and good friend, Dr. Jane Walters, has been named one of the Department of Education's blue ribbon schools.

Craigmont is a magnet school for international studies and its program has been highly acclaimed. It is one of three Tennessee secondary schools recommended for national recognition.

As one who has visited Craigmont often and taken part in its programs and international ceremonies, I know firsthand how richly deserved this award is. I want to add my congratulations to Dr. Walters, her faculty and staff, and to the 1,700 young people whose enthusiasm and love of learning make Craigmont an exceptional school.

RESTORE THE GREAT LAKES

HON. ERIC FINGERHUT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 1993

Mr. FINGERHUT. Mr. Speaker, today I am introducing two pieces of legislation crafted to protect and enhance one of the world's most valuable natural resources, the Great Lakes. Representing over 90 percent of our Nation's fresh water supply, the importance of the Great Lakes to our regions health and economy cannot be overstated.

The severe pollution of the 1960's brought the shocking declaration that Lake Erie was dead spawning one of the largest Federal investments in the Great Lakes region, over \$12 billion for secondary wastewater treatment plants. Remarkably, the removal of conventional pollutants such as phosphorous and untreated wastewater effluent brought Lake Erie back from the dead and breathed life into our economy. The Great Lakes now supports a \$4.5 billion annual sportfishing economy and Lake Erie stands as the first example of envi-

TALKING POINTS ON THE MOLINARI/TRIGGER AMENDMENT

1. Ms. Molinari ties funding for the educational award to increased funding for campus based aid programs including College Work Study, SEOG, SSIG, and the Perkins Loan Program. In addition, Pell Grants must be funded at \$2,400.
2. The fundamental premise of the National Service program and student financial aid is different. National Service is not student financial assistance. It is an earned benefit not part of a means tested package based on need.
3. Of the student aid funding passed by the House for FY 1994, \$415 million went to pay off the Pell Grant shortfall. This was necessary because of Republican opposition to the President's economic stimulus plan. If the President's plan had passed, this \$415 million could have been used on other programs.

For example, \$76.2 million could have gone to ensuring that SSIG and the campus-based programs are funded at the FY 1993 levels. The remaining \$338.8 million could have been used to bring the maximum grant to higher than the FY 1993 level of \$2,300.
4. The Corporation For National Service is an independent agency of the Federal government and is funded out of the HUD-VA subcommittee. It competes with education programs only to the extent that under the single budget cap, all discretionary programs compete. Would it make sense to condition increased funding for the VA, the NSF, or Head Start, or Chapter 1 on certain levels of funding for campus based aid.

"TRIGGER"

THIS AMENDMENT IS DESIGNED TO KILL NATIONAL SERVICE, NOT TO HELP STUDENT AID

- National service is a \$400 million program, student aid spending is about \$12 billion this year along -- generating many billions more in private student loan capital. They are not comparable programs.
- This proposal is not about protecting student aid -- it is about killing national service.

NATIONAL SERVICE IS NOT NEED-BASED AID

- Need-based student aid is based on the premise that finances along will not keep a talented citizen who has worked hard to earn college admission from pursuing that dream.
- National service has nothing to do with need-based aid and should have nothing to do with it. Any attempts to link the two should be strongly opposed by those who are friends of student aid.
- The President's national service program provides a merit scholarship based on service performed. Such a concept is best exemplified by the GI Bill and the Public Health Services Corps -- not by the Title IV programs in the Higher Education Act.

PRESIDENT CLINTON HAS TRIED TO ADDRESS THE PROBLEMS OF THE PELL GRANT PROGRAM -- BUT HAS BEEN SHOT DOWN BY REPUBLICANS

- President Clinton inherited a \$2 billion shortfall in the Pell grant program from a Republican administration that refused to admit there was a recession and therefore did not budget enough aid money to help the thousands of American families who lost jobs.
- The greatest single threat to the future of the Pell grant program is the Pell grant shortfall. Bill Clinton understood this when he proposed to pay the entire shortfall off in his stimulus package. Unfortunately, the Republicans shot that proposal down and specifically refused to include it in any stimulus package.
- President Clinton again proposed that the shortfall be fully paid off in a supplement to his FY 94 budget.
- If the Republicans truly want to help student aid, wonderful. We think we can and should support both student aid and national service.

AMERICAN COUNCIL ON EDUCATION

RESOLUTION ON NATIONAL AND COMMUNITY SERVICE

WHEREAS, colleges and universities have a long standing record of encouraging students to volunteer their services to their communities; and

WHEREAS, colleges and universities believe that community service helps mold character, build leadership abilities, foster self esteem, and develop a sense of civic obligation; and

WHEREAS, colleges and universities believe that community service should be accessible and available to all students, regardless of personal or family financial circumstances; and

WHEREAS, colleges and universities believe that federal policies directed toward expanding service opportunities should complement but not detract from the fundamental federal interest in equalizing educational opportunity through the provision of need-based grant assistance; and

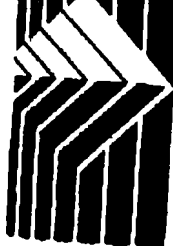
WHEREAS, colleges and universities appreciate President Clinton's intention to strengthen the Pell grant program and Secretary Riley's assurance that community service will not supplant need-based aid;

THEREFORE BE IT RESOLVED, that the American Council on Education welcomes and endorses the expansion of federal policies to increase service opportunities for all Americans that:

- (1) permit the participation of individuals in all income categories and age brackets, including the many students who are older, low-income, already at work, and unable to engage in pre- or post-college service programs, and individuals from all geographic regions, including those in high-unemployment, urban and rural areas; and
- (2) augment, but do not diminish, the 20-year foundation of federal support for need-based grant assistance; and
- (3) are made available to participants in a way that reduces the ever-growing reliance of students on loans as a means of financing college costs.

Adopted by the ACE Board of Directors
May 12, 1993

One Dupont Circle, Washington, D.C. 20036-1190



July 19, 1993

Dear Senator:

On behalf of the 170 member institutions of the National Association of State University and Land-Grant Colleges, I am writing to urge you to vote in favor of national service legislation that will be considered by the Senate this week.

We specifically oppose any amendment that attempts to means test recipients of post-service benefits of the full-time service program. Means testing is appropriate for receipt of student financial aid because of the nature of the Pell Grant entitlement, but it is not relevant for recipients of national service benefits, since they receive the benefits as a result of the service they perform.

In addition, diversity is an important component of the concept of national service; subjecting the post-service benefit to a means test will discourage middle class participants and create a corps of participants who can be identified by economic class. Differential rewards for equal effort also would teach the contrary lesson that status, more than responsibility, ultimately determines one's place in American society.

It is also important to remember that the National and Community Service Trust Act is a service bill, not an education bill. The benefit for the full-time service participant happens to be a voucher that will be held in trust to be applied to either education or to pay back student loans. NASULGC sees this legislation as a way for young people to serve their communities--and, incidentally, to pay for education or training.

Another proposal that may be offered on the floor is to connect the funding of the National Service Trust Act with funding of other higher education programs--Pell Grants and campus-based programs. While this may seem to have a certain appeal because of the importance of Pell Grants and campus-based support for students, NASULGC institutions do not favor this approach. Rather, we understand the overall benefit to students from these varied streams of support for their higher education and training, and do not see these programs as competing against each other.

AMERICAN COUNCIL ON EDUCATION

July 21, 1993

The Honorable William D. Ford
2107 Rayburn House Office Building
Washington, DC

Dear Chairman Ford:

I am pleased to write you to reaffirm the support of the American Council on Education for the National Trust Service Act of 1992.

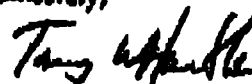
As you know, Peggy Elliott, President of the University of Akron, testified before your Committee on May 19th on behalf of 14 associations and strongly endorsed national and community service. Commitment to national and community service has been a hallmark of American higher education throughout its history was strengthened even further when John F. Kennedy announced the Peace Corps at the University of Michigan. Since that time most colleges have instituted a wide range of service programs and many students have taken part in them. Indeed a recent study by the American Council on Education concluded that 26 percent of college students were engaged in service activities in 1990 and the average student worked over 5 hours a week.

The President has repeatedly said that national and community service will not be in competition with federal student aid for scarce resources. We look forward to working with the Administration to increase funding for national and community service and for need-based student aid.

The Board of Directors of the American Council on Education adopted a resolution supporting national service earlier this year. I am pleased to enclose a copy for your information.

Thank you for your continued support of America's colleges and their students. Please let me know if I may provide further information or assistance.

Sincerely,



Terry W. Hartle
Vice President

To: Jack Lew
Fr: Gene

One Dupont Circle, Washington, D.C. 20006-1190

2 pgs.

I again urge you to support the National and Community Service Trust Act, and to vote against amendments, such as a means test or triggering mechanism, that would limit or weaken the scope, purpose, or participation in its programs.

Cordially,

A handwritten signature in black ink, reading "C. Peter Magrath". The signature is written in a cursive style with a large, prominent "h" at the end.

C. Peter Magrath
President

National and Community Service Coalition

1101 15th St. NW
Suite 200
Washington, DC 20005

Tel: (202) 296-2992
Fax: (202) 296-4030

Co-Chairs

John Briscoe, PennSERVE
Roger Landrum, Youth Service
America

Steering Committee

AFSCME
American Youth Policy Forum
Arkansas Division of Volunteerism
Big Brothers/Big Sisters of America
Campus Compact
City Volunteer Corps
City Year
Close Up Foundation
Council of Chief State School
Officers
DC Service Corps
Generations United
Girls Scouts of the USA
Maryland Student Service Alliance
Michigan Commission
on Community Service
National Association of State
Universities and Land Grant
Colleges
National Association of Partners in
Education
National Association for Public
Interest Law
National Association of Service
and Conservation Corps
National Associations of Foster
Grandparent, Senior Companion,
and RSVP Directors
National Crime Prevention Council
National Society for Experiential
Education
PennSERVE
People For The American Way
Action Fund
Public Allies
SCALE UNC-Chapel Hill
Teach for America
U.S. Conference of Mayors
U.S. Public Interest Research Group
Volunteer Maryland!
YMCA of the USA
Young People for National Service
Youth Service America
Youth Volunteer Corps of America
Youthbuild USA

July 21, 1993

The Honorable Edward M. Kennedy
Chair, Senate Labor and Human Resources Committee
Washington, DC 20510

Dear Senator Kennedy:

The Steering Committee of the National and Community Service Coalition strongly opposes any amendment that would link appropriations for national service to funding of education programs, such as the Pell grant entitlement program or campus-based programs. A "trigger" amendment of this kind represents a serious misunderstanding of the nature and purposes of S.919. This bill would establish a national service program -- like the Peace Corps or the Public Health Service Corps -- that also provides an educational benefit in return for service performed. A "trigger" amendment will not, in the end, increase funds for Pell grants, but kill a worthwhile service proposal that promises to make an important contribution to solving some of our most pressing national and community needs.

Sincerely,



John Briscoe
Director
PennServe; The Governor's
Office of Citizen Service
Coalition Co-Chair



Roger Landrum
President
Youth Service America
Coalition Co-Chair



LEWIS & CLARK
COLLEGE

OFFICE OF THE PRESIDENT

July 21, 1993

Senator Edward M. Kennedy
315 Rayburn Senate Office Building
Washington, DC 20510

Dear Senator Kennedy:

On behalf of Lewis & Clark College, I write to urge you to oppose any proposal that may be offered on the floor to connect the funding of the National Service Trust Act with funding of other higher education programs, like Pell Grants and campus-based financial aid programs. While this may seem to have a certain appeal because of the importance of Pell Grants and campus-based support for students, we do not favor this approach. Rather, we believe students benefit from varied sources of support for their higher education and training, and we feel very strongly that national service and educational entitlement programs should not have to compete with each other for funding.

National Service legislation should be considered on its own merits, and we support Senate passage of the bill reported by your committee.

Sincerely,

Michael Mooney
President

Office of the President
(216) 672-2210



P. O. Box 5190, Kent, Ohio 44242-0001

July 21, 1993

The Honorable Edward M. Kennedy
United States Senate
Washington, DC 20510

Dear Senator Kennedy,

I strongly support the National Service Trust Act and oppose any so called "trigger amendments" which would limit the funding of National Service until the federal student aid programs obtain full funding.

Funding federal student assistance programs fully is important. However, National Service is not a substitute for, or a competitor of, these programs. National Service is an important way to encourage young Americans to contribute to their nation, and enhance their own education in the process. Both are needed to keep America competitive in a global marketplace. We can not afford as a nation to preclude a large number of our youth the opportunity to succeed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carol A. Cartwright".

Carol A. Cartwright
President

CAC/ar

National and Community Service Coalition

1101 15th St. NW
Suite 200
Washington, DC 20005

Tel: (202) 296-2992

Fax: (202) 296-4030

Co-Chairs

John Briscoe, PennSERVE
Roger Landrum, Youth Service
America

Steering Committee

ABRCMB
American Youth Policy Forum
Arkansas Division of Volunteerism
Big Brothers/Big Sisters of America
Campus Compact
City Volunteer Corps
City Year
Close Up Foundation
Council of Chief State School
Officers
DC Service Corps
Generations United
Girls Scouts of the USA
Maryland Student Service Alliance
Michigan Commission
on Community Service
National Association of State
Universities and Land Grant
Colleges
National Association of Farmers in
Education
National Association for Public
Interest Law
National Association of Service
and Conservation Corps
National Associations of Foster
Grandparent, Senior Companion,
and RSVP Directors
National Crime Prevention Council
National Society for Experiential
Education
PennSERVE
People For The American Way
Action Fund
Public Allies
SCALE UNC-Chapel Hill
Teach for America
U.S. Conference of Mayors
U.S. Public Interest Research Group
Volunteer Maryland
YMCA of the USA
Young People for National Service
Youth Service America
Youth Volunteer Corps of America
YouthBuild USA

July 21, 1993

The Honorable Edward M. Kennedy
Chair, Senate Labor and Human Resources Committee
Washington, DC 20510

Dear Senator Kennedy:

The Steering Committee of the National and Community Service Coalition strongly opposes any amendment that would link appropriations for national service to funding of education programs, such as the Pell grant entitlement program or campus-based programs. A "trigger" amendment of this kind represents a serious misunderstanding of the nature and purposes of S.919. This bill would establish a national service program -- like the Peace Corps or the Public Health Service Corps -- that also provides an educational benefit in return for service performed. A "trigger" amendment will not, in the end, increase funds for Pell grants, but kill a worthwhile service proposal that promises to make an important contribution to solving some of our most pressing national and community needs.

Sincerely,



John Briscoe
Director
PennServe; The Governor's
Office of Citizen Service
Coalition Co-Chair



Roger Landrum
President
Youth Service America
Coalition Co-Chair



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 103^d CONGRESS, FIRST SESSION

Vol. 139

WASHINGTON, TUESDAY, JULY 13, 1993

No. 96

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the gentleman from Mississippi [Mr. MONTGOMERY].

(Mr. MONTGOMERY asked and was given permission to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Chairman, I rise in strong support of H.R. 2010, the National Service Trust Act of 1993. The establishment of a program of national service is one of President Clinton's highest legislative priorities, and I congratulate him for sending us this excellent initiative.

The program created under H.R. 2010 will provide the opportunity for thousands of young men and women, and citizens of all ages, races, and income levels, to come together and take an active part in the improvement of their neighborhoods, towns, and cities. This program will foster a new level of public spirit, and all participants will be even better citizens as a result of their national service experience.

Under the program, Mr. Chairman, young people will have the opportunity to earn education benefits in exchange for working to improve their communities. The benefit level established under H.R. 2010 is reasonable, and I really do not expect the national service program to interfere with the ability of the armed services to recruit the high quality men and women that we do need.

That is a very important point to make here today, Mr. Chairman, that I

do not believe this will interfere with the recruiting of persons that come into our military service as they do it on a voluntary basis, so this is a good bill, and I support it, and I urge my colleagues to do the same.

Stump Amendment

By Mr. STUMP:

—Page 79, strike line 18 through 23 and insert the following:

"(a) AMOUNTS GENERALLY.—Except as provided in subsection (b), an individual described in section 146(a) who successfully completes a required term of service in an approved national service position shall receive a national service educational award having a value, for each of not more than 2 of such terms of service, equal to—

"(1) 12 times the monthly rate used for the calculation of basic educational assistance allowances under section 3015(a)(1) of title 38, United States Code, as in effect on the date of the completion of such term of service; multiplied by

"(2) 80 percent.

Repubs are falling apart, in Ukraine
we will long run closer relation &
promote us
blat Repub obstructants

No for sake of NO.
many can get done
Warr in draft relief.

COMMUNICATION RESULT REPORT

07-22-93 02:29PM

FILE	DATE & TIME	FILE TYPE	DELAYED	DESTINATION/TO:/FROM:	PAGE	REMARKS	SIZE
07	07-22 02:22PM	MEMORY-S		TO : 94566420	02		0023

NO.	PHONE / TTI NO.	COMM MODE	RESULT	NO.	PHONE / TTI NO.	COMM MODE	RESULT
001	94566420		GOOD				



OFFICE OF THE VICE PRESIDENT
WASHINGTON

5-212 U.S. Capitol Building
Washington, DC 20510

PHONE
202-224-8391

FAX
202-224-0291

FAX COVER SHEET

TO:

Diana

FROM:

R. Hunt

2

pages (including cover)

COMMENTS:

Pls deliver MAR

This transmission may contain information
that is sensitive or confidential in nature.
It's contents are intended for the recipient
ONLY.

JUL 20 '93 10:07

FROM ONSD/LEGISLATIVE AFFS

PAGE.002



THE SECRETARY OF DEFENSE

WASHINGTON, THE DISTRICT OF COLUMBIA

July 20, 1993

Honorable William Ford
Chairman
Committee on Education & Labor
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman,

I am writing you in support of the President's National Service Initiative, H.R. 2010, which was favorably reported out of your Committee. As you know, the Department has been coordinating with the White House to ensure the greatest possible cooperation between military and civilian national service; we look forward to this coordination continuing. We would oppose any amendments to the legislation which would require any direct affiliation between these two types of service.

Finally, I wish to reiterate our view that the civilian national service program reflected by H.R. 2010 will not adversely impact military recruiting.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Aspin".

TALKING POINTS ON STUMP AMENDMENT

1. The amendment limits the national service education award to 80% of the basic educational assistance provided to veterans. That amount is now \$3,840.
2. National service participants enroll for one year and must apply for a second year after successfully completing their one year service program. Most participants will get only \$5,000.
3. Even those who do two years and get \$10,000 will receive less than members of the Armed Forces who at a minimum get \$10,500 for two years active duty; \$13,200 for two years active duty plus two years of Reserves and four years of the Ready Reserve; or \$13,200 for three years active duty. In addition, the Army and Navy college funds offer up to \$14,400 additional post-service benefit for up to four years enlistments in jobs that are critical jobs that are hard to fill.
4. The National Service program offers stipends at \$7,400 (of which the Federal government pays 85%). Assuming two years of service and childcare and health care benefits, the total package comes to about \$16,000-\$17,000. Basic pay for two years of active duty in the Armed Forces is \$21,000.
5. Benefits for service in the Armed Forces are more generous than for National service and that is appropriate.

CIVILIAN NATIONAL SERVICE AND ARMED FORCES BENEFITS COMPARISON

	<u>Civilian National Service</u>	<u>Armed Forces</u>
Eligibility	17 yrs or older; HS diploma or equivalent; if HS drop-out, must agree, in general, to obtain GED while in program	17-21 years old and HS diploma or equivalent satisfies requirements for enlistment in Armed Forces
Terms of Service	1 or 2 years full time	(a) 2 years Active Duty; or (b) 2 years Active Duty + 2 years Reserve + 4 years Individual Ready Reserve; or (c) 3 years Active Duty
Stipend	Minimum wage (\$4.25/hr) for one yr of service = \$7,400; for 2 yrs of service = \$14,800; Est. healthcare and childcare benefits for 2 yrs = \$2,020 TOTAL for 2 yrs of service = \$16,820	Basic pay for 2 yrs Active Duty = \$21,018 (assumes service member living on base)
Post-Service Education Benefit	\$5,000 per year; maximum \$10,000 for 2 years of service	(a) \$10,500 for 2 yrs Active Duty; or (b) \$13,200 for 2 yrs Active Duty + 2 years Reserves and 4 yrs Indiv. Ready Reserve; or. (c) \$13,200 for 3 yrs. Active Duty
Supplemental Programs	None	College funds offer up to \$14,400 additional post-service benefit for up to 4 year enlistment in a critical shortage job (Army and Navy only)

(a) For a 2 year enlistment, a service member contributes a total of \$1,200 to the Montgomery GI Bill program and qualifies for \$11,700. Thus the total benefit as computed above is \$11,700 - \$1,200 = \$10,500.

(b) For a 2 year active duty + 2 year Reserve + 4 year Individual Ready Reserve enlistment, the service member qualifies for \$14,400 - \$1,200 contribution = \$13,200 benefit. This 2+2+4 is a transition option, not an enlistment option.

(c) For a 3 year active duty enlistment, a service member contributes the same \$1,200 to the Montgomery GI Bill program and then qualifies for \$14,400 at the end of the 3 years. Thus the total benefit as computed above is \$14,400 - \$1,200 = \$13,200. The Marines and Air Force primarily offer 4 year enlistments, but these service members qualify for the \$13,200 after completing 3 years of service.

7/14/93

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

MOLINARI AMENDMENTS

Divider Title: _____

Molinari Stipend Amendment

By Ms. MOLINARI:

—In section 131(e) of the National and Community Service Act of 1990, as added by section 101(b) of the bill, strike subsection (e) and insert the following:

“(e) LIVING ALLOWANCES AND OTHER IN-SERVICE BENEFITS.—An application submitted under section 130 shall also include an assurance by the applicant that any living allowance, health insurance, child care assistance, or other benefit that the applicant or any other person intends to provide to participants in a national service program carried out or supported by the applicant using assistance provided under section 121 will

not be provided using such assistance or any portion of such assistance.

—In Section 139 of the National and Community Service Act of 1990, as added by section 101(b) of the bill, strike subsections (a) and (b), and insert the following:

“(a) IN GENERAL.—As a condition of receiving a national service education award under subtitle D, a participant in an approved national service position shall be required to perform national service for at least one term of service specified in subsection (b).

“(b) TERM OF SERVICE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), an individual performing national service in an approved national service position shall agree to participate in the program sponsoring the position for not less than 1,000 hours during a period of not less than 9 months and not more than 2 years.

“(2) REDUCTION IN HOURS OF SERVICE.—The Corporation may reduce the number of hours required to be served to successfully complete parttime national service to a level determined by the Corporation, except that any reduction in the required term of service shall include a corresponding reduction in the amount of any national service educational award that may be available under subtitle D with regard to that service.

—In section 140 of the National and Community Service Act of 1990, as added by section 101(b) of the bill—

(1) in subsection (a)—

(A) in paragraph (1) strike “shall” and insert “may”, and

(B) strike paragraph (2) and insert the following:

“(2) PROHIBITION ON USE OF FEDERAL ASSISTANCE.—The amount of the annual living allowance provided under paragraph (1), or any portion of that amount, may not be paid using assistance provided under section 121 or any other Federal funds.

(2) strike subsection (b),

(3) redesignate subsection (c) as subsection (b), and

(4) strike subsections (d), (e), (f), and (g).

—In section 146(b) of the National and Community Service Act of 1990, as added by section 102(a) of the bill, strike “full- or part-time”.

MOLINARI STIPEND AMENDMENT

1. This amendment virtually ensures that only those who can take a year off to do service can participate. The disadvantaged, parents who can't afford child care, those who might need child care, among others would be unable to participate.
2. National service is not volunteerism. Service is a way by which participants systematically work full time or part time toward solving problems in society. Service provides an opportunity for participants to give something back to their communities in a manner that develops a lasting sense of responsibility for fellow citizens and the nation as a whole. There will clearly continue to be demand for volunteers in meeting social needs. H.R. 2010 recognizes, however, that all people are not equally able to volunteer, and seeks to provide opportunities for diverse groups to participate in meeting community needs. Benefits such as the national service stipend, health care and child care costs are essential to assuring equal opportunity for diverse participants.
3. The Molinari amendment tries to turn national service into volunteerism. The American people volunteer in record numbers, and contribute mightily to charities. We don't need to stimulate volunteerism, we need to promote service.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

WALKER AMENDMENTS

Divider Title: _____

BY MR. WALKER.

Page 68, line 4, strike the close quotation marks and the final period.

1 Page 68, after line 4, insert the following new section
2 (and conform the table of contents accordingly):

3 **"SEC. 142. AGREEMENT TO PERFORM MILITARY SERVICE IN**
4 **EVENT OF NATIONAL EMERGENCY.**

5 “(a) AGREEMENT REQUIRED.—Subject to subsection
6 (b), each participant in a national service program carried
7 out using assistance provided under section 121 who is
8 selected to serve in an approved national service position
9 shall be required to enter into an agreement with the Sec-
10 retary of Defense to be available, throughout the term of
11 service of the participant in the position, for temporary
12 enlistment in the Armed Forces at the call of the Sec-
13 retary in the event of a national emergency declared by
14 the President.

15 “(b) QUALIFICATIONS.—Only participants who are at
16 least 18 years of age at the time of their temporary enlist-
17 ment pursuant to this section and who are otherwise quali-
1 fied for enlistment under regulations prescribed by the
2 Secretary of Defense may be enlisted under the authority
3 provided by this section.

4 “(c) TERM OF ENLISTMENT.—A temporary enlist-
5 ment under this section may not exceed the duration of
6 the national emergency for which the call is made plus
7 six months.”.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

PORTER AMENDMENT

Divider Title: _____

committed for printing under clause 6 of rule XXIII
Amendment To H.R. 2010, As Reported

Offered by Mr. Porter of Illinois

Page 30, after line 6, add the following:

1 “(5) EFFECT OF STATE FAILURE TO LIMIT LI-
2 ABILITY.— If, not later than 2 years after the effec-
3 tive date of this subtitle, a State fails to have in ef-
4 fect (and to certify in its application that the State
5 has in effect) a limitation on liability that satisfies
6 the requirements of title V of the National Service
7 Trust Act of 1993, the allotment for such State
8 shall be reduced by 5 percent, and the Corporation
9 shall allot the amount of the reduction among the
10 States that have in effect (and so certify) such lim-
11 itation.

submitted for printing under clause 6 of rule ~~XXIII~~

Amendment To H.R. 2010, As Reported

Offered by Mr. Porter of Illinois

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

**TITLE V-LIMITATION ON
LIABILITY OF VOLUNTEERS**

SEC. 501. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds and declares that—

(1) within certain States, the willingness of volunteers to offer their services has been increasingly deterred by a perception that they thereby put personal assets at risk in the event of liability actions against the organization they serve;

(2) as a result of this perception, many non-profit public and private organizations and governmental entities, including voluntary associations, social service agencies, educational institutions, local governments, foundations, and other civic programs, have been adversely affected through the withdrawal of volunteers from boards of directors and service in other capacities;

(3) the contribution of these programs to their communities is thereby diminished, resulting in

1 fewer and higher cost programs than would be ob-
2 tainable if volunteers were participating;

3 (4) the efforts of nonprofit organizations, local
4 government, States, and the Federal Government to
5 promote voluntarism, and community and national
6 service, are adversely affected by the withdrawal of
7 volunteers from boards of directors and service in
8 other capacities; and

9 (5) because Federal funds are expended on use-
10 ful and cost-effective social service programs which
11 depend heavily on volunteer participation, protection
12 of voluntarism through clarification and limitation of
13 the personal liability risks assumed by the volunteer
14 in connection with such participation is an appro-
15 priate subject for Federal encouragement of State
16 reform.

17 (b) PURPOSE.—The purposes of this title are to pro-
18 mote programs of community and national service, to pro-
19 mote the interests of social service program beneficiaries
20 and taxpayers, and to sustain the availability of programs
21 and nonprofit organizations and governmental entities
22 which depend on volunteer contributions, by encouraging
23 reasonable reform of laws to provide protection from per-
24 sonal financial liability to volunteers serving with non-

1 profit organizations and governmental entities for actions
2 undertaken in good faith on behalf of such organizations.

3 **SEC. 502. NO PREEMPTION OF STATE TORT LAW.**

4 Nothing in this title shall be construed to preempt
5 the laws of any State governing tort liability actions.

6 **SEC. 503. LIMITATION ON LIABILITY FOR VOLUNTEERS.**

7 (a) **LIABILITY PROTECTION FOR VOLUNTEERS.**—For
8 purposes of satisfying the requirement specified in section
9 129(a)(5) of the National and Community Service Act of
10 1990, and except as provided in subsections (b), (c), and
11 (d), a State shall provide by law that any volunteer of a
12 nonprofit organization or governmental entity shall incur
13 no personal financial liability for any tort claim alleging
14 damage or injury from any act or omission of the vol-
15 unteer on behalf of the organization or entity if—

16 (1) such individual was acting in good faith and
17 within the scope of such individual's official func-
18 tions and duties with the organization or entity and
19 such functions and duties are directly connected to
20 the administration of a program described in section
21 122(a); and

22 (2) such damage or injury was not caused by
23 willful and wanton misconduct by such individual.

24 (b) **CONCERNING RESPONSIBILITY OF VOLUNTEERS**
25 **WITH RESPECT TO ORGANIZATIONS.**—Nothing in this

1 section shall be construed to affect any civil action brought
2 by any nonprofit organization or any governmental entity
3 against any volunteer of such organization or entity.

4 (c) NO EFFECT ON LIABILITY OF ORGANIZATION.—
5 Nothing in this section shall be construed to affect the
6 liability of any nonprofit organization or governmental en-
7 tity with respect to injury caused to any person.

8 (d) EXCEPTIONS TO VOLUNTEER LIABILITY PROTEC-
9 TION.—A State may impose one or more of the following
10 conditions on and exceptions to the granting of liability
11 protection to any volunteer of an organization or entity
12 required by subsection (a):

13 (1) The organization or entity must adhere to
14 risk management procedures, including mandatory
15 training of volunteers.

16 (2) The organization or entity shall be liable for
17 the acts or omissions of its volunteers to the same
18 extent as an employer is liable, under the laws of
19 that State, for the acts or omissions of its em-
20 ployees.

21 (3) The protection from liability does not apply
22 if the volunteer was operating a motor vehicle or was
23 operating a vessel, aircraft, or other vehicle for
24 which a pilot's license is required.

1 (4) The protection from liability does not apply
2 in the case of a suit brought by an appropriate offi-
3 cer of a State or local government to enforce a Fed-
4 eral, State, or local law.

5 (5) The protection from liability shall apply
6 only if the organization or entity provides a finan-
7 cially secure source of recovery for individuals who
8 suffer injury as a result of actions taken by a vol-
9 unteer on behalf of the organization or entity. A fi-
10 nancially secure source of recovery may be an insur-
11 ance policy within specified limits, comparable cov-
12 erage from a risk pooling mechanism, equivalent as-
13 sets, or alternative arrangements that satisfy the
14 State that the entity will be able to pay for losses
15 up to a specified amount. Separate standards for
16 different types of liability exposure may be specified.

17 **SEC. 504. DEFINITIONS.**

18 For purposes of this title—

19 (1) the term “volunteer” means an individual
20 performing services for a nonprofit organization or
21 a governmental entity who does not receive com-
22 pensation, or any other thing of value in lieu of com-
23 pensation, for such services (other than reimburse-
24 ment for expenses actually incurred or honoraria not
25 to exceed \$300 per year for government service),

1 and such term includes a volunteer serving as a di-
2 rector, officer, trustee, or direct service volunteer;

3 (2) the term "nonprofit organization" means
4 any organization described in section 501(c) of the
5 Internal Revenue Code of 1986 and exempt from tax
6 under section 501(a) of such Code;

7 (3) the term "damage or injury" includes phys-
8 ical, nonphysical, economic, and noneconomic dam-
9 age; and

10 (4) the term "State" means each of the several
11 States, the District of Columbia, the Commonwealth
12 of Puerto Rico, the Virgin Islands, Guam, American
13 Samoa, the Northern Mariana Islands, any other
14 territory or possession of the United States, or any
15 political subdivision of any such State, territory, or
16 possession.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

GINGRICH AMENDMENT

Divider Title: _____

F:\GROK\HR2010\H\AMEND.002

H.L.C.

JULY 16, 1993

Newt Gingrich

**AMENDMENT TO H.R. 2010, AS REPORTED
OFFERED BY _____**

(This amendment is submitted for printing under clause 6 of
Rule XXIII)

Page 52, line 5, strike "(f)" and insert in lieu there-
of the following:

- 1 (f) **EMPHASIS ON SUPPORT OF LAW ENFORCE-**
2 **MENT.**—In addition to the emphasis specified in sub-
3 section (e), in making assistance available under section
4 121 and in providing approved national service positions
5 under section 123, the Corporation shall also ensure that
6 not less than 50 percent of the total amount of assistance
7 to be distributed to States under subsections (a) and
8 (d)(1) of section 129 for a fiscal year is provided to carry
9 out or support national service programs and projects re-
10 lated to or or in support of law enforcement.
11 "(g)

July 16, 1993

GINGRICH AMENDMENT #2

1. The amendment requires that not less than 50 percent of the funds allocated to states by formula or competitively must be used to fund national service projects or programs related to or in support of law enforcement.

2. The Act already identifies public safety as a priority; we support the emphasis on support for law enforcement.

3. The bill targets funds to areas of economic distress--areas of high unemployment, areas eligible for specific economic development incentives, areas adversely affected by military downsizing, rural areas adversely affected by international trade, etc.--but gives local applicants the flexibility to develop their own plans to meet their specific needs. This amendment imposes Federal priorities on local areas. This is precisely the kind of policy that Mr. Gingrich bemoaned in his floor statement last week.

F:\GMK\HRS010RH\AMEND.004

H.L.C.

JULY 18, 1998

Nut General

AMENDMENT TO H.R. 2010, AS REPORTED

OFFERED BY _____

(This amendment is submitted for printing under clause 6 of
Rule XXIII)

(This amendment eliminates the credit under the Civil Serv-
ice Retirement System and the Federal Employees' Re-
tirement System for service as a VISTA volunteer)

Page 272, beginning line 1, strike section 372 of the
bill (and conform the table of contents accordingly).

July 18, 1998

GINGRICH AMENDMENT #3

1. This amendment eliminates the credit under the Civil Service Retirement System and FERS for service as a VISTA volunteer.

SECTION 372 TALKING POINTS

At present, some, but not all, former VISTA and Peace Corps Volunteers have the right under the Civil Service Retirement System (CSRS), but not under the Federal Employees Retirement System (FERS), to receive credit for their service in the computation of their federal pensions. They also receive credit for their service under other federal pension systems such as the Foreign Service Retirement and Disability System. SECTION 372 corrects this inequity in the federal pension system by authorizing all former VISTA and Peace Corps volunteers to receive credit for their volunteer service for federal pension purposes upon payment of an appropriate deposit. It also restores the original intent of the Peace Corps Act and the Domestic Volunteer Service Act of 1973 of encouraging former VISTA and Peace Corps volunteers to pursue careers of public service by allowing pension credit for their service as volunteers.

CIVIL SERVICE RETIREMENT

Federal employees who are former VISTA or Peace Corps volunteers may count the period of their volunteer service as a period of employment for purposes of computing their pensions under CSRS unless they are also eligible for a pension under the Social Security Act, in which case their period of Volunteer service is excluded from the calculation on which their federal pension is based. An identical exclusion applied to former members of the Armed Forces but was repealed in 1982. Probably through oversight, no similar action was taken for VISTA and Peace Corps volunteers, although the provisions were in the same section of title 5 (5 USC §8332(1)).

Section 372 would correct this situation by permitting former volunteers to receive credit for CSRS purposes for their service upon making a deposit in the amount of 74 of their readjustment allowances, with interest in appropriate cases. A reduction in the amount of the pension would be made in all cases to reflect the amount of the Social Security pension to which the individual is entitled that is attributable to the individual's contributions to the Social Security trust fund during service as a Peace Corps Volunteer. The amount of the reduction in most cases would be small.

FEDERAL EMPLOYEES RETIREMENT SYSTEM

Under the Civil-Service Reform Act, Volunteer service that took place before January 1, 1989 is creditable for FERS pension purposes, upon payment of a deposit, but service on or after January 1, 1989 is not. The amendment effected by section 372 would entitle former Volunteers to receive credit for their service for FERS purposes by making a deposit of 34

of their readjustment allowances, plus interest in appropriate cases, for service that takes place at any time.

Former members of the Armed Forces are permitted to receive credit for their service for FERS purposes upon payment of a deposit regardless of when the service took place. Under CSRS, former members of the military and Peace Corps and VISTA volunteers were treated identically. There is no reason why this equality of treatment should not be available under FERS.

Section 372 would provide for an equality of treatment under federal pension laws for all former VISTA and Peace Corps volunteers who enter federal service that does not now exist, and that is not rationally explainable to those whose service, though equal to that of those who are covered, is not creditable.

F:\GMK\HRS010RH\AMEND.001

Nut Gaingard
H.C.

~~JUL 16, 1993~~

~~AMENDMENT TO H.R. 2010, AS REPORTED~~

OFFERED BY _____

(This amendment is submitted for printing under clause 6 of
Rule XXIII)

Page 51, line 22, insert after "subsection (c)(6)" the
following: "in which the average family income, in rela-
tion to family size, is equal to or less than ^{(75% of} the official
poverty line (as defined by the Office of Management and
Budget and revised in accordance with section 673(2) of
the Omnibus Budget Reconciliation Act of 1981 (42
U.S.C. 9902(2)))".

July 16, 1993

GINGRICH AMENDMENT #4

1. This amendment defines areas of economic distress as those in which the average family income is equal to or less than 125% of poverty.

2. The bill targets funds to areas of economic distress, but this formulation is too restrictive. Rural areas adversely affected by international trade and areas that are adversely affected by defense spending cuts are just two types of eligible areas that might not qualify at 125% of poverty but are still distressed.

3. States ought to have the flexibility to put together plans that address different kinds of distress, not be bound to send service participants only into low-income areas.

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

BAKER AMENDMENT

Divider Title: _____

JULY 19, 1993

**AMENDMENT TO H.R. 2010, AS REPORTED
OFFERED BY MR. BAKER OF CALIFORNIA**

**(This amendment is submitted for printing under clause 6 of
Rule XXIII)**

Page 182, strike lines 3 through 5, and insert the following new section (and conform the table of contents accordingly):

1 **SEC. 112. PROHIBITION ON SERVICES FOR ILLEGAL**
2 **ALIENS.**

3 (a) **PROHIBITION.**—Section 102 of the National and
4 Community Service Act of 1990 (42 U.S.C. 12512) is
5 amended to read as follows:

6 **"SEC. 102. PROHIBITION ON SERVICES FOR ILLEGAL**
7 **ALIENS.**

8 "(a) **PROHIBITION.**—Except as provided in sub-
9 section (b), the Corporation may not make assistance
10 available under this Act to a national service program that
11 provides services directly to persons and is carried out by
12 a Federal agency, State, subdivision of a State, Indian
13 tribe, public or private nonprofit organization, or institu-
14 tion of higher education or provide for the placement of
15 volunteers under the Domestic Volunteer Service Act of
16 1973 with a public or nonprofit private organization that
17 provides services directly to persons unless the program

1 to receive the assistance or the organization to receive the
2 placement has a written policy that prohibits the delivery
3 of services to aliens who are not in lawful immigration sta-
4 tus in the United States. In the case of a public or private
5 nonprofit organization covered by this subsection, the
6 written policy must apply with respect to all service pro-
7 grams conducted by the organization whether or not a par-
8 ticular program receives assistance or a volunteer place-
9 ment.

10 “(b) EXCEPTION.—Subsection (a) shall not prohibit
11 the delivery of emergency services to aliens who are not
12 in lawful immigration status in the United States or edu-
13 cational services required by law to be provided to such
14 aliens if the emergency or educational services are pro-
15 vided by a program or organization that has a written pol-
16 icy of reporting the presence of such aliens to the Immi-
17 gration and Naturalization Service.”.

18 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
19 tional and Community Service Act of 1990 (Public Law
20 101-610; 104 Stat. 3127) is amended by striking the item
21 relating to section 102 of such Act and inserting the fol-
22 lowing:

“Sec. 102. Prohibition on services for illegal aliens.”.

Bill Baker

BAKER AMENDMENT

1. The amendment bars the Corporation from making grants to public or private non-profits that provide service unless the potential recipient has a written policy that prohibits the delivery of services to aliens who are not lawful immigrants. The written policy must apply with respect to all service programs conducted by the organization whether or not the particular program receives assistance under the Act. The amendment provides for the delivery of emergency services or educational services required by law, if these services are provided by an entity that has a written policy of reporting the presence of such aliens to INS.

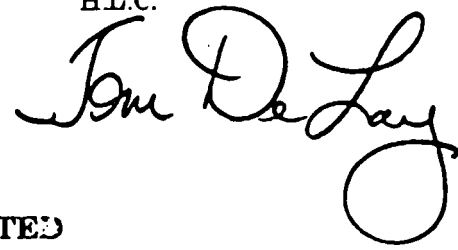
Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

< BLANK >

Divider Title: _____



JULY 16, 1993

AMENDMENT TO H.R. 2010, AS REPORTED

OFFERED BY MR. DELAY OF TEXAS

or his designee

(This amendment is submitted for printing under clause 6 of
Rule XXIII)

(This amendment eliminates the family and medical leave
provision)

Page 182, strike line 6 and all that follows until line
17 on page 183, and insert the following:

1 SEC. 113. LIMITATION ON NUMBER OF GRANTS.

2 (a) REPEAL.—Section 171 of the National and Com-
3 munity Service Act of 1990 (42 U.S.C. 12631) is repealed.

4 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
5 tional and Community Service Act of 1990 (Public Law
6 101-610; 104 Stat. 3127) is amended by striking the item
7 relating to section 171 of such Act.

DeLAY AMENDMENT #1

1. This amendment eliminates participants from coverage by the Family and Medical Leave Act.

2. No potential program sponsor has written or called to say that providing coverage to participants under Family and Medical Leave is onerous or burdensome.

3. The Committee is willing to clarify the fact that coverage under the Family and Medical Leave Act does not allow participants to complete less than the full term of service required (1700 hours) to access the full educational benefit.