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Kassebaum Amendment/Dole Letter

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Changes in Kassebaum from Senate Committee Reported Bill

Note: Page numbers refer to pages in Kassebaum S.1212.

Sec. 111 Service-Learning Programs

(1) p.17 shifts program responsibility to state Commissions from state educational agencies

(2) p.19 eliminates opportunities to provide funding through local education agencies

(3) p.21 expands qualified organizations beyond partnerships; "communities" are eligible with no definition of community; (separate authority for community-based programs eliminated)

(3A) p.23 allocates 0.2 percent of funds to Native Hawaiians

(4) p.23 decreases ratio of competitive to formula funds from 25/75 to 10/90

(5) p.26 increases ratio of community- to school-based programs from 15/85 to 25/75

(6) p.27 reduces required contents of local application

(7) p.28 requires that grantmaking entities represent aim to work in multiple states

(8) p.29 reduces required assurances

(9) p.34 reduces fourth and subsequent year matching requirement for States from 50 percent to 40 percent

(10) p.35 splits administrative costs between original grantee and program

(11) p.36 changes allowance for capacity-building for capacity-building altered

(12) p.36 prohibits payments from Serve-America for national service positions

(13) p.38 eliminates Sec. 117, independent community-based program

(14) p. 38 eliminates Sec. 118, specific authority service-learning clearinghouse

(15) p.42 reduces ratio of higher education to K-12 funds from 25/75 to 20/80

Sec. 121 Authority to Provide Assistance

(16) p.43 deletes specific reference to community action agencies and labor organizations in authorization of entities eligible for funding

(17) p.45 limitation on administrative costs split 50/50 between original and subgrantees [effectively assures funding of State Commissions]

(18) p.46 25 percent match applies to living allowances as well as program costs

Sec. 122 Types of Programs

(19) p.51 pre-professional corps example requires minimum of one year of service

(20) p.51 professional corps deletes teachers, nurses and other health care providers

(21) p.53 deletes reference to community action agencies from "Communities in Action program"; limits this program to safe places in schools

(22) p.53 limits other examples of programs that may be added to strategic plan of the State Commission if funded by the Corporation, or consistent with Corporation plan

(23) p.54 provides broad waiver authority for corporation to waive qualification criteria for innovative programs

(24) p.54 allows application of national priorities only for Federal share; ties national priorities to five year strategic plan; less specific regulations requirements

Sec. 123 Post-Service Educational Awards

(25) p.56 establishes awards on demonstration basis other than $750 part-time/$1500 full-time under section 141

(26) p.56 requires report to Congress after 18 months

(27) p.57 deletes list of programs for which educational awards will be granted

Sec. 124 Program Assistance

(28) p.57 reduces from one year to nine months period of planning assistance grants

(29) p.57 limits operational assistance to 60 percent; may not be used to support state commissions

(30) p. 57 Sec. 125 deletes Training and Technical Assistance

Sec. 125 Other Special Assistance

(31) p.59 reduces state commission support from 85 to 75 percent

(32) p.59 expands disaster assistance to include any funded program; not limited to youth corps

Sec. 129 Application and Approval

(33) p.61 increases allotment to states by formula from 33 to 50 percent

(34) p.62 0.2 percent allocation to native Hawaiians

(35) p.63 removes reservation of assistance for CCC and VISTA educational awards

(36) p.63 limits challenge grants to the lower of $10 million or one percent

(37) p.63 competitive distribution of remaining funds not less than 30 percent [leaving less than 20 percent for federal and other competition]

(38) p.64 deletes reference to community action agencies and labor organizations in list of entities eligible to compete for funds

(39) p.65 mandatory application of priorities in grants to federal agencies and others competing directly for Federal funding

(40) p.65 deletes priority for non-profits

(41) p.66 deletes provision requiring that distribution of slots be subject to availability of funds

(42) p.66 deletes private contribution sponsorship of slots

(43) p.66 deletes specific requirements for applications and leaves to regulations

(44) p.66 increases from 60 to 70 percent amount of funds that must be awarded to entities other than programs carried out by states

(45) p.68 changes forum shopping -- rejection required if second application is submitted; deletes prohibition against submitting second application

Sec. 131 Assistance criteria

(46) p.68 requires that applications be consistent with State or Corporation plan

(47) p.70 requires assurances that program will provide job training and job specific skills necessary for gainful employment

(48) p.70 deletes reference to community action agencies in list of required consultations

(49) p.70 deletes specific reference to consultation with labor regarding non-displacement

(50) p.71 deletes option of internal evaluation if approved by the Corporation

(51) p. 72 only requires national recruitment for nationally selected programs. No authority to set minimum percentage.

Sec. 132 Ineligible Service Categories

(52) p. 73 forbids benefit to advocacy and lobbying organizations

Sec. 133 Consideration of Applications

(53) deletes reference to approval of positions

(54) p. 74 requires states to describe positions and qualifications for positions

(55) p. 76 Deletes from needy areas list areas with reductions in population or disadvantaged older adults [provisions targeted at rural areas]

(56) p. 77 Adds "practitioners" to review panels

(57) p. 77 Allows for priorities in competitive state share, as well as Federal share; deletes list of possible priority programs; deletes exemption for State Commissions with cause

(58) p. 77 deletes targeting of 50 percent to areas most in need and specific priority for local recruitment in those areas

Sec. 137 Description of Participants

(59) p. 78 requires eligibility requirements of programs to relate to the tasks

(60) p. 81 gives states and Corporation option, rather than requiring, recruitment and placement systems; deletes organizations through which information would be disseminated, including those related to disabilities and disadvantaged youths

(61) p. 81 deletes national leadership pool

(62) p. 82 deletes authority to reduce term and award for part-time service

Sec. 140 Living Allowances for National Service Participants

(63) p. 83 Keys maximum federal share of living allowance to minimum wage, not VISTA allowance

(64) p. 84 reduces maximum living allowance from 200 to 150 percent of minimum wage

(65) p. 84 allows participants receiving Federal benefits to choose $250 full-time or $150 part-time allowance that would not count against means-tested benefits, in lieu of other stipend

(66) p. 86 allows States to fund professional corps under regulations established by the Corporation based on Teacher Corps and similar programs

(67) p. 87 requires applicants to demonstrate lack of resources in order to receive waiver of matching requirements

Sec. 141 "Post-Service Stipends"

(68) p. 88 provides $1500 for full-time and $750 for part-time participants, with waiver for States to reduce awards to level of cost of 4-year public. Awards payable against loans or tuition (with room and books only for full-time), or apprenticeships. Awards usable only for education on a full-time basis

Sec. 122 Transition

(69) requires participants in existing programs to use awards for educational purposes only.

(70) deletes Sec 103. National Service Trust

Sec. 145 Additional Corporation Activities to Support National Service and Volunteer Programs

(71) p. 92 eliminates list of eligible activities; includes limited authority for training

Sec. 146 Clearinghouses

(72) p. 94 broadens authorities of clearinghouses

(73) deletes Sec 198B. Presidential awards

(74) deletes Sec. 198C. Military Installation

Subtitle E -- Civilian Community Corps

(75) p. 95 repeals old Subtitle E (Innovative and Demonstration Programs) and redesignates CCC as Subtitle E

(76) pp. 96-99 Retains authorization for CCC with its own educational award; in separate section [p.161] extends the availability of the 1993 appropriation for CCC through FY 95; does not specifically make CCC participants eligible for educational awards under the new program; in separate provision [p. 162], CCC is repealed 24 months after the amendments in section 121 take effect.

Sec. 153 Grievance Procedures

(77) p. 103 deletes provision for appointed arbitrator.

(78) p. 103 deletes provision for payment of legal costs by losing party in certain instances

(79) p. 105 eliminates equitable relief in case of arbitration

Sec. 155 Evaluation

(80) p. 106 deletes general authority for Corporation to conduct annual independent evaluations; delete requirements that demographic characteristics of participants be evaluated

Sec. 157 Repeals

(81) p.108 Repeals sections 183 of Subtitle F of the 1990 Act -- provisions related to service as tutors

Sec. 178 <u>State Commissions</u>

(82) p. 110 reduces maximum number of State Commission members from 25 to 21.

(83) p. 110. changes membership list from required to recommended. Reorders list. Includes representative from volunteer programs. Removes specific requirement that school-based program, SEA, CAAs and Indian tribes be represented.

(84) p. 111. eliminates Corporation representative.

(85) p. 111. eliminates "to the maximum extent practicable" from diversity requirement and requires that diversity be ensured.

(86) p. 113 changes Corporation requirements for strategic plans from requirement to option; eliminates requirement of plan for outreach to diverse populations.

(87) p. 113 State Commission replaces SEAs for Serve-America. Eliminates requirement of fair and equitable decision-making.

(88) p. 116 gives Corporation discretion regarding rejection of administrative entities.

(89) p. 118 gives Corporation authority to review and reject State strategic plans.

(90) p. 119 deletes sections requiring coordination of programs with state ACTION offices; eliminates liability sections; eliminates transitional provisions.

Sec. 192 <u>Corporation Board of Directors</u>

(91) p. 120 reduces Board from 15 to 9; eliminates required youth member, local educator, community based organization representative; removes experts in service areas from list.

(92) p. 120 requires diversity based on geography but not disability.

(93) p. 121 2 Members of Board nominated by Speaker and Minority Leader in House; 2 by Majority and Minority Leaders in Senate

(94) p. 121 eliminates ex officio members from agencies

Sec. 192A <u>Authorities and Duties of the Board of Directors</u>

(95) p. 121 specifies that Director may not be chair or vice-chair

(96) p. 125 allows Board to perform duties determined by Director

Sec. 193A. <u>Authorities and Duties of the President</u>

(97) p. 126 IG reports only to Director rather than Board or officer

(98) p. 127 changes strategic plan from 3 years to 5 years

(99) p. 131 deletes provision allowing report consolidation

(100) p. 132 deletes provision requiring Board approval of any delegation of its functions

Sec. 194 Management

(101) p. 133 gives Director discretion to devise management structure, eliminating managing directors; establishes divisions for national service and volunteer programs (service-learning, senior, Federal)

(102) p. 134 IG appointed by Director

(103) p. 135 new provisions on fraud

(104) p. 135 eliminates CFO.

Sec. 195 Employees, Consultants and Other Personnel

(105) p. 136 restores 5-year rule

(106) p. 136 Board has advisory role on any extensions

(107) p. 137 Eliminates provision which gives Corporation employees with one to three years of service credit towards competitive service employment for three years

(108) p. 137 requires consultation with OPM on personnel system (vs. approval in Senate Committee bill)

(109) p.138 does not require specifically require consistency with merit principles

Sec. 196 Administration

(110) p. 140 deletes provisions allowing Corporation to solicit volunteers or property.

(111) p. 141 deletes requirement that volunteers not carry out inherently government functions.

(112) p. 142 deletes language guaranteeing tax deductibility of gifts.

(113) p. 142 deletes required application of OMB circulars.

Sec. 405 Relationship with State Plans and Other Requirements

(114) p. 143 requires coordination of all programs with State plans and priorities.

(115) p. 147 extends job search assistance to employees of the Departments of Agriculture, Interior and Education

Possible Amendments to S.919

July 14, 1993

	Defender	Amendment
	Kennedy	Kassebaum substitute
Chair (1)	Wellstone?	Bar gays from mentoring programs Armstrong
✓	Nunn?	Eliminate educational award
✓	Nunn?	Reducing educational benefit to GI Bill level -McCain
✓	Mikulski?	Eliminate living allowance, health insurance Arm
✓	Dodd?	Eliminate child care benefits Arm Kohl/wanted to weaken hi
✓	Wellstone?	Prohibit advocacy as service 93 Hatch possible second degree.
✓	Dodd? Wofford	Pell grant trigger 93 Kass
Third (2)	Boren?	Eliminate tort liability of volunteers 90 McConnell (talk to Chuck Tremper -- Dick Staufenberger has #)
✓	Wofford Mikulski?	Limit participation to low-income youth 90/93 X
Chair (3)	?	Require drug testing/prohibit drug offenders from participation D'Amato
✓	Metzenbaum	Strike union concurrence, other nondisplacement provisions C
✓	?	Move all federal service programs into the Corporation
✓	Mikulski	Strike Part-time Service K?
✓	?	Strike federal agencies' ability to compete for funds K
✓	?	Increase share going to states by formula K
(4)	?	Strike State Commissions
Tom: state (4)	Wellstone? Metzenbaum?	Bar abortion coverage in health benefits Helms Gramm
(5)	?	Require participants to conform to "moral tenets"

Coats part time

Defender	Amendment
Dodd? Nunn?	Means-testing of post-service benefit (Nickles?)
Metzenbaum?	Church/State issues/Participation of religious groups Shirley will try to write Amending Words
Nunn?	Veterans amendments
Glenn?	Structural issues (CFO, IG, Fraud, Civil Service)
Dodd? Simon? Rockefeller?	Eliminate VISTA identity
Boren? Wofford	Eliminate CCC identity
Mikulski?	Veterans Appropriations Issue

BOB DOLE
KANSAS

United States Senate
OFFICE OF THE REPUBLICAN LEADER
WASHINGTON, DC 20510-7020

June 16, 1993

Eli Segal
Assistant to the President
Director, Office of National Service
The White House
1600 Pennsylvania Avenue
Washington, D.C.

Dear Mr. Segal:

Before our meeting on the President's national service proposal, I wanted to take a minute to outline a number of my concerns with the the proposal--a proposal that I hope to be able to support.

At my request, a number of experts reviewed the original legislation, and raised a number of very legitimate concerns. They told me that the proposal will effect less than 1% of all students currently enrolled in higher education institutions, and that investing the same amount of money in existing Pell Grants and college work-study programs would enable many more students to have access to higher education. In addition, the program is not targeted to those who have financial need, and would provide federal funds to those who are perfectly capable of funding their own education.

They also concluded that this program is at great risk to fraud and abuse, and that the only way to avoid that risk is through an even larger bureaucracy.

We also discussed the fact that this plan injects the federal government into the business of capital delivery, replacing our banking system and our secondary capital markets at a time when the rest of the world is turning from public to private capital to finance fiscal and social objectives.

Further, given our budgetary situation, it is important that we ask a number of questions of any new federal spending programs.

These questions include:

*Does the spending proposal increase the federal deficit?

*Does the spending proposal increase the size or influence of the federal government and its intrusiveness into individual lives?

*Does the spending proposal create the demand for or expectation of a new entitlement which will increase budget deficits in future years?

*Does the spending program help to create private sector jobs or does it dampen or act as a disincentive to job creation?

On first glance, it could be argued that President Clinton's proposal fails all those tests.

It will increase the deficit, as it contains no "pay for" provisions.

It does create an enormous new federal bureaucracy--a bureaucracy which will step in and dictate to local communities what type of projects they need.

Although not called an "entitlement," President Clinton's plan possesses all the attributes of other programs which in time become de facto entitlements, making it impossible to restrain or eliminate program dependency, even when future and more urgent budgetary or domestic programs emerge.

And since President Clinton has said that he envisions his program funding positions like teachers, assistants in medical clinics, and waste recyclers--all positions currently filled by wage-earning workers--his plan does appear to put private enterprise in competition with a subsidized national service program.

I am hopeful that you can alleviate my concerns on these issues, and that we can work together to create a program that rewards the youth of today, without sacrificing the future of the youth of tomorrow.

Best regards,

BOB DOLE