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1 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**
2 **ICE-LEARNING PROGRAMS.**

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

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

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

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

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

25 (D) work with employers in the commu-
26 nities to ensure that projects introduce the stu-

1 dents to various careers and expose the stu-
2 dents to needed further education and training.

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

8 **“Subtitle B—School-Based and**
9 **Community-Based Service-**
10 **Learning Programs**

11 **“PART I—SERVE-AMERICA PROGRAMS**

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

13 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**
14 **TRIBES.**

15 “(a) USE OF FUNDS.—The Corporation, in consulta-
16 tion with the Secretary of Education, may make grants
17 under section 112(b)(1), and allotments under subsections
18 (a) and (b)(2) of section 112, to States (through State
19 educational agencies), and to Indian tribes, to pay for the
20 Federal share of—

21 “(1) planning and building the capacity of the
22 States or Indian tribes (which may be accomplished
23 through grants or contracts with qualified organiza-
24 tions) to implement school-based service-learning
25 programs, including—

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

7 “(B) developing service-learning curricula
8 to be integrated into academic programs, in-
9 cluding the age-appropriate learning component
10 described in [section 114(d)(1)(B)];

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

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

19 “(E) establishing effective outreach and
20 dissemination of information to ensure the
21 broadest possible involvement of community-
22 based agencies with demonstrated effectiveness
23 in working with school-age youth in their com-
24 munities;

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

9 “(A) local educational agencies; and

10 “(B) one or more community partners
11 that—

12 “(i) shall include a public or private
13 nonprofit organization that—

14 “(I) has a demonstrated [and ex-
15 tensive] expertise in the provision of
16 services to meet [unmet] human,
17 educational, environmental, or public
18 safety needs;

19 “(II) was in existence at least 1
20 year before [the date on which the or-
21 ganization applied to participate in
22 the partnership] OR [the date on
23 which the organization submitted an
24 application under section 114]; and

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

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

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

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

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

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

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

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

4 “(A) local educational agencies; and

5 “(B) one or more—

6 “(i) public or private nonprofit organi-
7 zations;

8 “(ii) other educational agencies; or

9 “(iii) private for-profit businesses,
10 that coordinate and operate projects for participants,
11 who shall be students.

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

16 “(1) providing technical assistance and informa-
17 tion to, and facilitating the training of, teachers who
18 want to use service-learning in their classrooms;

19 “(2) assisting local partnerships described in
20 subsection (a) in the planning, development, and
21 execution of service-learning projects; and

22 “(3) carrying out such other duties as the local
23 educational agency may determine to be appropriate.

24 **I** assume the staff were aware that this language

1 was not identical in the two bills, but had been
2 dropped entirely from the Senate bill.】

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

12 **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**
13 **NONPARTICIPATING STATES.**

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

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

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

5 **“SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
6 **NONPROFIT ORGANIZATIONS.**

7 “(a) IN GENERAL.—The Corporation may make
8 grants under section 112(b)(1) to public or private non-
9 profit organizations that—

10 “(1) have experience with service-learning;

11 “(2) were in existence [at least] 1 year before
12 the date on which the organization submitted an ap-
13 plication under section 114(a); and

14 “(3) meet such other criteria as the Chief Exec-
15 utive Officer may establish.

16 “(b) USE OF FUNDS.—Such organizations may use
17 grants made under subsection (a) to make grants to part-
18 nerships described in paragraph (2) or (4) of section
19 111(a) to implement, operate, or expand school-based
20 service-learning programs as described in such section and
21 provide technical assistance and training to appropriate
22 persons.

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

24 “(a) INDIAN TRIBES AND TERRITORIES.—Of the
25 amounts appropriated to carry out this subpart for any

1 fiscal year, the Corporation shall reserve an amount of not
2 more than **【1 percent】** OR **【3 percent】** for payments to
3 Indian tribes, the United States Virgin Islands, Guam,
4 American Samoa, and the Commonwealth of the Northern
5 Mariana Islands, to be allotted in accordance with their
6 respective needs. The Corporation may also make pay-
7 ments from such amount to Palau, in accordance with its
8 needs, until such time as the Compact of Free Association
9 with Palau is ratified.

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

14 “(1) GRANTS.—Except as provided in para-
15 graph (3), from 25 percent of such **【remainder】**, the
16 Corporation may make grants, on a competitive
17 basis, to—

18 “(A) **【States】** and Indian tribes; or

19 “(B) as described in section 111B, to
20 grantmaking entities. **【Section 111 establishes**
21 **that grants under section 112 go to State edu-**
22 **cational agencies. I wouldn’t refer to “State**
23 **educational agencies” here because the lan-**
24 **guage refers to “States” elsewhere in the sec-**
25 **tion, and it’s important to be consistent.】**

1 “(2) ALLOTMENTS.—

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

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

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

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

7 “(4) DEFINITION.—Notwithstanding section
8 101(26), for purposes of this subsection, the term
9 ‘State’ means each of the several States, the District
10 of Columbia, the Commonwealth of Puerto Rico, and
11 an Indian tribe.

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

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

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

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

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

19 “(1) a 3-year strategic plan, or a revision of a
20 previously approved 3-year strategic plan, for pro-
21 moting service-learning through the programs, which
22 plan shall contain such information as the Chief Ex-
23 ecutive Officer may reasonably require, [including
24 information demonstrating that the programs will be
25 carried out in a manner consistent with the ap-

1 proved strategic plan;] [I need the “amendment
2 shortening the list of application requirements”, if
3 this isn’t it.]

4 “(2) assurances that—

5 “(A) the applicant will keep such records
6 and provide such information to the Corpora-
7 tion with respect to the programs as may be re-
8 quired for fiscal audits and program evaluation;
9 and

10 “(B) the applicant will comply with the
11 nonduplication and nondisplacement require-
12 ments of section 177 [and the grievance proce-
13 dure requirements of section 176(f)]; and

14 “(3) such additional information as the Chief
15 Executive Officer may reasonably require.

16 **“SEC. 114. LOCAL APPLICATIONS.**

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

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

1 “(2) SUBMISSION.—Such application shall be
2 submitted at such time and in such manner, and
3 shall contain such information, as the Chief Execu-
4 tive Officer may reasonably require. Such application
5 shall include a proposal to assist such programs in
6 more than 1 State.

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

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

21 “(1) IN GENERAL.—Any—

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

1 “(B) partnership described in section
2 111(a)(2) that desires to receive such assistance
3 from a State, Indian tribe, or grantmaking en-
4 tity for an activity described in section
5 111(a)(2);

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

10 “(D) partnership described in section
11 111(a)(4) that desires to receive such assistance
12 from a State or Indian tribe for an activity de-
13 scribed in such section,
14 to be carried out through a service-learning program
15 described in section 111, shall prepare, submit to
16 the State educational agency, Indian tribe, or
17 grantmaking entity, and obtain approval of, an ap-
18 plication for the program.

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

23 “(d) REGULATIONS.—**【**The Corporation shall by reg-
24 ulation establish standards for the information and assur-
25 ances required to be contained in an application submitted

1 under [subsection (a) or (b)] with respect to a service-
2 learning program described in section 111, including, at
3 a minimum,] assurances that—

4 “(1) prior to the placement of a participant, the
5 entity carrying out the program will consult with
6 [the appropriate local labor organization, if any,]
7 representing employees in the area who are engaged
8 in the same or similar work as that proposed to be
9 carried out by such program, to prevent the dis-
10 placement and protect the rights of such employees;

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

16 “(3) the entity carrying out the program will
17 comply with the nonduplication and nondisplacement
18 requirements of section 177 and the grievance proce-
19 dure requirements of section 176(f). [Is this the
20 “amendment shortening the application require-
21 ments? If the application requirements include
22 House paragraph (3)(C), the reference to partici-
23 pants who are individuals with disabilities is needed
24 because “individuals with disabilities” is a defined
25 term.]

1 “(e) LIMITATION ON SAME PROJECT IN MULTIPLE
2 APPLICATIONS.—No applicant shall submit an application
3 under section 113 or this section, and the Corporation
4 shall reject an application that is submitted under section
5 113 or this section, if the application describes a project
6 proposed to be conducted using assistance requested by
7 the applicant and the project is already described in an
8 other application pending before the Corporation.

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

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

19 “(b) PRIORITY FOR LOCAL APPLICATIONS.—In pro-
20 viding assistance under this subpart, a State educational
21 agency or Indian tribe, or the Corporation if section 111A
22 or 111B applies, shall give priority to entities that submit
23 applications under section 114 with respect to service-
24 learning programs described in section 111 that—

1 “(1) involve participants in the design and op-
2 eration of the program;

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

5 “(3) involve—

6 “(A) students from public elementary or
7 secondary schools, and students from private el-
8 ementary or secondary schools, serving to-
9 gether; or

10 “(B) students of different ages, races,
11 sexes, ethnic groups, disabilities, or economic
12 backgrounds, serving together; or

13 “(4) are integrated into the academic program
14 of the participants.

15 “(c) REJECTION OF APPLICATIONS.—If the Corpora-
16 tion rejects an application submitted by a State under sec-
17 tion 113 for an allotment under section 112(b)(2), the
18 Corporation shall promptly notify the State of the reasons
19 for the rejection of the application. The Corporation shall
20 provide the State with a reasonable opportunity to revise
21 and resubmit the application and shall provide technical
22 assistance, if needed, to the State as part of the resubmis-
23 sion process. The Corporation shall promptly reconsider
24 such resubmitted application.

1 **“SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**
2 **FROM PRIVATE SCHOOLS.**

3 “(a) IN GENERAL.—To the extent consistent with the
4 number of students in the State or Indian tribe or in the
5 school district of the local educational agency involved who
6 are enrolled in private nonprofit elementary and secondary
7 schools, such State, Indian tribe, or agency shall (after
8 consultation with appropriate private school representa-
9 tives) make provision—

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

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

21 “(b) WAIVER.—If a State, Indian tribe, or local edu-
22 cational agency is prohibited by law from providing for
23 the participation of students or teachers from private non-
24 profit schools as required by subsection (a), or if the Cor-
25 poration determines that a State, Indian tribe, or local
26 educational agency substantially fails or is unwilling to

1 provide for such participation on an equitable basis, the
2 Chief Executive Officer shall waive such requirements and
3 shall arrange for the provision of services to such students
4 and teachers. Such waivers shall be subject to consulta-
5 tion, withholding, notice, and judicial review requirements
6 in accordance with paragraphs (3) and (4) of section
7 1017(b) of the Elementary and Secondary Education Act
8 of 1965 (20 U.S.C. 2727(b)).

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

10 “(a) SHARE.—

11 “(1) IN GENERAL.—The Federal share attrib-
12 utable to this subpart of the cost of carrying out a
13 program for which a grant or allotment is made
14 under this subpart may not exceed—

15 “(A) 90 percent of the total cost of the
16 program for the first year for which the pro-
17 gram receives assistance under this subpart;

18 “(B) 80 percent of the total cost of the
19 program for the second year for which the pro-
20 gram receives assistance under this subpart;

21 “(C) 70 percent of the total cost of the
22 program for the third year for which the pro-
23 gram receives assistance under this subpart;
24 and

1 “(D) 50 percent of the total cost of the
2 program for the fourth year, and for any subse-
3 quent year, for which the program receives as-
4 sistance under this subpart.

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

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

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

16 “(b) WAIVER.—The Chief Executive Officer may
17 waive the requirements of subsection (a) in whole or in
18 part with respect to any such program in any fiscal year
19 if the Corporation determines that such a waiver would
20 be equitable due to a lack of available financial resources
21 at the local level.

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

23 “(a) ADMINISTRATIVE COSTS.—

24 “(1) LIMITATION.—Not more than 5 percent of
25 the amount of assistance provided to a State edu-

1 cational agency, Indian tribe, or grantmaking entity
2 that is the original recipient of a grant or allotment
3 under subsection (a), (b), (c), or (d) of section 112
4 for a fiscal year may be used to pay for administra-
5 tive costs incurred by—

6 “(A) the original recipient; or

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

10 “(2) RULES ON USE.—The Chief Executive Of-
11 ficer may by rule prescribe the manner and extent
12 to which—

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

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

18 “(i) the original recipient; and

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

22 “(b) CAPACITY-BUILDING ACTIVITIES.—

23 “(1) IN GENERAL.—Except as provided in para-
24 graph (2), [not less than 10 percent and not more
25 than 15 percent] of the amount of assistance pro-

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

8 “(2) WAIVER.—The Chief Executive Officer
9 may waive the requirements of paragraph (1) in
10 order to permit an agency or a tribe to use not less
11 than 10 percent and not more than 20 percent of
12 such amount to build capacity as provided in para-
13 graph (1). To be eligible to receive such a waiver
14 such an agency or tribe shall submit an application
15 to the Chief Executive Officer at such time, in such
16 manner, and containing such information as the
17 Chief Executive Officer may require.

18 “(c) LOCAL USES OF FUNDS.—Funds made available
19 under this subpart may not be used to pay any stipend,
20 allowance, or other financial support to any student who
21 is a participant under this subtitle, except reimbursement
22 for transportation, meals, and other reasonable out-of-
23 pocket expenses directly related to participation in a pro-
24 gram assisted under this subpart.

1 **“SEC. 116B. DEFINITIONS.**

2 “As used in this subpart:

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

6 “(2) SCHOOL-BASED.—The term ‘school-based’
7 means based in an elementary school or a secondary
8 school.

9 “(3) STUDENT.—Notwithstanding section
10 101(29), the term ‘student’ means an individual who
11 is enrolled in an elementary or secondary school on
12 a full- or part-time basis.

13 **“Subpart B—Community-Based Service Programs for**
14 **School-Age Youth**

15 **“SEC. 117. DEFINITIONS.**

16 “As used in this subpart:

17 “(1) COMMUNITY-BASED SERVICE PROGRAM.—
18 The term ‘community-based service program’ means
19 a program described in section 117A(b)(1)(A).

20 “(2) GRANTMAKING ENTITY.—The term
21 ‘grantmaking entity’ means a qualified organization
22 that—

23 “(A) submits an application under section
24 117C(a) to make grants to qualified organiza-
25 tions;

1 “(B) was in existence [at least] 1 year be-
2 fore the date on which the organization submit-
3 ted the application; and

4 “(C) meets such other criteria as the Chief
5 Executive Officer shall establish.

6 “(3) QUALIFIED ORGANIZATION.—The term
7 ‘qualified organization’ means a public or private
8 nonprofit organization with experience working with
9 school-age youth that meets such criteria as the
10 Chief Executive Officer may establish.

11 **“SEC. 117A. GENERAL AUTHORITY.**

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

18 “(b) USE OF FUNDS.—

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

22 “(A) to make a grant to a qualified organi-
23 zation to implement, operate, expand, or rep-
24 licate a community-based service program that
25 provides for meaningful human, educational,

1 environmental, or public safety service by par-
2 ticipants, who shall be school-age youth; or

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

5 “(2) QUALIFIED ORGANIZATIONS.—A qualified
6 organization, other than a grantmaking entity, may
7 use a grant made under subsection (a) to implement,
8 operate, expand, or replicate a program described in
9 paragraph (1)(A).

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

11 “(a) IN GENERAL.—To be eligible to receive a grant
12 under section 117A(a), a State Commission shall prepare,
13 submit to the Corporation, and obtain approval of, an
14 application.

15 “(b) SUBMISSION.—Such application shall be submit-
16 ted to the Corporation at such time and in such manner,
17 and shall contain such information, as the Chief Executive
18 Officer may reasonably require.

19 “(c) CONTENTS.—Such an application shall include,
20 at a minimum, a State plan that contains the [informa-
21 tion and assurance] described in section 117C(d) with re-
22 spect to each community-based service program proposed
23 to be carried out through funding distributed by the State
24 Commission under this subpart.

1 **"SEC. 117C. LOCAL APPLICATIONS.**

2 “(a) APPLICATION TO CORPORATION TO MAKE
3 GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—
4 To be eligible to receive a grant from the Corporation
5 under section 117A(a) to make grants under section
6 117A(b)(1), a grantmaking entity shall prepare, submit
7 to the Corporation, and obtain approval of, an application
8 that proposes a community-based service program to be
9 carried out through grants made to qualified organiza-
10 tions. Such application shall be submitted at such time
11 and in such manner, and shall contain such information,
12 as the Chief Executive Officer may reasonably require.

CIRCULAR

13 “(b) DIRECT APPLICATION TO CORPORATION TO
14 CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—
15 To be eligible to receive a grant from the Corporation
16 under section 117A(a) to implement, operate, expand, or
17 replicate a community service program, a qualified organi-
18 zation shall prepare, submit to the Corporation, and ob-
19 tain approval of, an application that proposes a commu-
20 nity-based service program to be carried out at multiple
21 sites, or that proposes [a model or] an innovative commu-
22 nity-based service program. Such application shall be sub-
23 mitted at such time and in such manner, and shall contain
24 such information, as the Chief Executive Officer may rea-
25 sonably require.

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

11 “(d) REGULATIONS.—**【The Corporation shall by reg-**
12 **ulation establish standards for the information and assur-**
13 **ances required to be contained in an application submitted**
14 **under 【subsection (a) or (b)】 with respect to a service-**
15 **learning program described in section 117, including, at**
16 **a minimum—】 【Is this the “amendment shortening the**
17 **application requirements”？】**

18 “(1) an assurance that the entity carrying out
19 the program proposed by the applicant will comply
20 with the nonduplication and nondisplacement provi-
21 sions of section 177 and the grievance procedure re-
22 quirements of section 176(f);

23 “(2) an assurance that the entity carrying out
24 the program will, prior to placing a participant in
25 the program, consult with the appropriate local labor

1 organization, if any, representing employees in the
2 area in which the program will be carried out that
3 are engaged in the same or similar work as the work
4 proposed to be carried out by the program, to pre-
5 vent the displacement of such employees; and

6 “(3) [in the case of an application submitted by
7 a grantmaking entity, information demonstrating
8 that the entity will make grants for a program to—

9 “(A) carry out activities described in sec-
10 tion 117A(b)(1) in two or more States, under
11 circumstances in which the activities carried out
12 under such program can be carried out more ef-
13 ficiently through one program than through two
14 or more programs; and

15 “(B) carry out the same activities, such as
16 training activities or activities related to ex-
17 changing information on service experiences,
18 through each of the projects assisted through
19 the program.] [In subpart A, this language is
20 deleted, and a sentence added in the overall ap-
21 plication requirement. Should this be consist-
22 ent?]

23 “(e) LIMITATION ON SAME PROJECT IN MULTIPLE
24 APPLICATIONS.—No applicant shall submit an application
25 under section 117B or this section, and the Corporation

1 shall reject an application that is submitted under section
2 117B or this section, if the application describes a project
3 proposed to be conducted using assistance requested by
4 the applicant and the project is already described in an-
5 other application pending before the Corporation.

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

7 “(a) APPLICATION OF CRITERIA.—The Corporation
8 shall apply the criteria described in subsection (b) in de-
9 termining whether to approve an application submitted
10 under section 117B or under subsection (a) or (b) of sec-
11 tion 117C and to provide assistance under section 117A
12 to the applicant on the basis of the application.

13 “(b) ASSISTANCE CRITERIA.—In evaluating such an
14 application with respect to a program under this subpart,
15 the Corporation shall consider the criteria established for
16 national service programs under [section 133(c)].

17 “(c) APPLICATION TO SUBGRANTS.—A State Com-
18 mission or grantmaking entity shall apply the criteria de-
19 scribed in subsection (b) in determining whether to ap-
20 prove an application under section 117C(c) and to make
21 a grant under section 117A(b)(1) to the applicant on the
22 basis of the application.

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

24 “(a) FEDERAL SHARE.—

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

7 “(2) CALCULATION.—Each recipient of assist-
8 ance under this subpart shall comply with section
9 116(a)(2).

10 “(b) WAIVER.—The Chief Executive Officer may
11 waive the requirements of subsection (a), in whole or in
12 part, as provided in section 116(b).

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

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

20 “(1) the original recipient; or

21 “(2) the entity carrying out the community-
22 based service programs supported with the assist-
23 ance.

24 “(b) RULES ON USE.—The Chief Executive Officer
25 may by rule prescribe the manner and extent to which—

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

3 “(2) that portion of the assistance available to
4 cover administrative costs should be distributed
5 between—

6 “(A) the original recipient; and

7 “(B) the entity carrying out the commu-
8 nity-based service programs supported with the
9 assistance.

10 **“Subpart C—Clearinghouse**

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

12 “(a) IN GENERAL.—The Corporation shall provide fi-
13 nancial assistance, from funds appropriated to carry out
14 subtitle H, to organizations described in subsection (b) to
15 establish a clearinghouse, which shall carry out activities,
16 either directly or by arrangement with another such orga-
17 nization, with respect to information about service-learn-
18 ing.

19 “(b) PUBLIC OR PRIVATE NONPROFIT ORGANIZA-
20 TIONS.—Public **【or】** private nonprofit **【organizations】**
21 that have extensive experience with service-learning, in-
22 cluding use of adult volunteers to foster service-learning,
23 shall be eligible to receive assistance under subsection (a).

24 “(c) FUNCTION OF CLEARINGHOUSE.—An organiza-
25 tion that receives assistance under subsection (a) may—

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

4 “(2) conduct research and evaluations concern-
5 ing service-learning;

6 “(3)(A) provide leadership development and
7 training to State and local service-learning program
8 administrators, supervisors, service sponsors, and
9 participants; and

10 “(B) provide training to persons who can pro-
11 vide the leadership development and training de-
12 scribed in subparagraph (A);

13 “(4) facilitate communication among entities
14 carrying out service-learning programs and partici-
15 pants in such programs;

16 “(5) provide information, curriculum materials,
17 and technical assistance relating to planning and op-
18 eration of service-learning programs, to States and
19 local entities eligible to receive financial assistance
20 under this title;

21 “(6) provide information regarding methods to
22 make service-learning programs accessible to individ-
23 uals with disabilities;

24 “(7)(A) gather and disseminate information on
25 successful service-learning programs, components of

1 such successful programs, innovative youth skills
2 curricula related to service-learning, and service-
3 learning projects; and

4 “(B) coordinate the activities of the Clearing-
5 house with appropriate entities to avoid duplication
6 of effort;

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

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

12 “(10) carry out such other activities as the
13 Chief Executive Officer determines to be appro-
14 priate.”.

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

19 **“PART II—HIGHER EDUCATION INNOVATIVE**
20 **PROGRAMS FOR COMMUNITY SERVICE**
21 **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**
22 **FOR COMMUNITY SERVICE.**

23 “(a) PURPOSE.—It is the purpose of this part to ex-
24 pand participation in community service by supporting in-
25 novative community service programs carried out through

1 institutions of higher education, acting as civic institutions
2 to meet the human, educational, environmental, or public
3 safety needs of neighboring communities.

4 “(b) GENERAL AUTHORITY.—The Corporation, in
5 consultation with the Secretary of Education, is author-
6 ized to make grants to, and enter into contracts with, in-
7 stitutions of higher education (including a combination of
8 such institutions), and partnerships comprised of such in-
9 stitutions and of other [public or private nonprofit organi-
10 zations], to pay for the Federal share of the cost of—

11 “(1) enabling such an institution or partnership
12 to create or expand an organized community service
13 program that—

14 “(A) engenders a sense of social respon-
15 sibility and commitment to the community in
16 which the institution is located; and

17 “(B) provides projects for participants,
18 who shall be students, faculty, administration,
19 or staff of the institution, or residents of the
20 community;

21 “(2) supporting student-initiated and student-
22 designed community service projects through the
23 program;

24 “(3) strengthening the leadership and instruc-
25 tional capacity of teachers at the elementary, sec-

1 ondary, and postsecondary levels, with respect to
2 service-learning, by—

3 “(A) including service-learning as a key
4 component of the preservice teacher education
5 of the institution; and

6 “(B) encouraging the faculty of the institu-
7 tion to use service-learning methods throughout
8 their curriculum;

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

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

20 “(6) strengthening the service infrastructure
21 within institutions of higher education in the United
22 States through the program; and

23 “(7) providing for the training of teachers, pro-
24 spective teachers, related education personnel, and

1 community leaders in the skills necessary to develop,
2 supervise, and organize service-learning.

3 “(c) FEDERAL SHARE.—

4 “(1) SHARE.—

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

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

12 “(2) WAIVER.—The Chief Executive Officer
13 may waive the requirements of paragraph (1), in
14 whole or in part, as provided in section 116(b).

15 “(d) APPLICATION FOR GRANT.—

16 “(1) SUBMISSION.—To receive a grant or enter
17 into a contract under this part, an institution or
18 partnership described in subsection (b) shall pre-
19 pare, submit to the Corporation, and obtain approval
20 of, an application at such time, in such manner,
21 **【and containing such information】** as the Corpora-
22 tion may reasonably require. **【In requesting applica-**
23 **tions for assistance under this part, the Corporation**
24 **shall specify such required information.】 【Do you**
25 **want to include this language, or the more detailed**

1 information requirements from the House bill as
2 specified in paragraph (2)(A)?】

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

5 “(A) 【such information as the Chief Exec-
6 utive Officer may reasonably require, such as a
7 description of—

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

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

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

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

23 “(v) the procedures to ensure that the
24 program provides an opportunity for par-
25 ticipants to reflect on their service experi-

1 ences and includes the age-appropriate
2 learning component described in [section
3 114(d)(5)(B)];

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

8 “(vii) the budget for the program;]

9 “(B) assurances that—

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

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

24 “(C) such other assurances as the Chief
25 Executive Officer may reasonably require.

1 “(e) PRIORITY.—

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

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

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

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

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

23 “(i) the institution;

24 “(ii)(I) a community-based agency;

25 “(II) a local government agency; or

1 “(III) a nonprofit entity that serves or
2 involves school-age youth or older adults;
3 and

4 “(iii) a student organization;

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

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

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

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

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

24 “(g) DEFINITION.—Notwithstanding section
25 101(29), as used in this part, the term ‘student’ means

1 an individual who is enrolled in an institution of higher
 2 education on a full- or part-time basis.”.

3 **“PART III—GENERAL PROVISIONS**

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

5 “**[**Of the aggregate amount appropriated to carry out
 6 this subtitle for each fiscal year—

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

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

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

14 “(2) a sum equal to 25 percent of such aggre-
 15 gate amount shall be available to carry out part
 16 II.”.] **[**Is this to be included? It’s not in the Senate
 17 bill.]

18 (c) **TABLE OF CONTENTS.**—Section 1(b) of the Na-
 19 tional and Community Service Act of 1990 (Public Law
 20 101–610; 104 Stat. 3127) is amended by striking the
 21 items relating to subtitle B of title I of such Act and in-
 22 serting the following:

“Subtitle B—School-Based and Community-Based Service-Learning Programs

“PART I—SERVE-AMERICA PROGRAMS

“SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

“Sec. 111. Authority to assist States and Indian tribes.

“Sec. 111A. Authority to assist local applicants in nonparticipating States.

- “Sec. 111B. Authority to assist public or private nonprofit organizations.
- “Sec. 112. Grants and allotments.
- “Sec. 113. State or tribal applications.
- “Sec. 114. Local applications.
- “Sec. 115. Consideration of applications.
- “Sec. 115A. Participation of students and teachers from private schools.
- “Sec. 116. Federal, State, and local contributions.
- “Sec. 116A. Limitations on uses of funds.
- “Sec. 116B. Definitions.

“SUBPART B—COMMUNITY-BASED SERVICE PROGRAMS FOR SCHOOL-AGE
YOUTH

- “Sec. 117. Definitions.
- “Sec. 117A. General authority.
- “Sec. 117B. State applications.
- “Sec. 117C. Local applications.
- “Sec. 117D. Consideration of applications.
- “Sec. 117E. Federal, State, and local contributions.
- “Sec. 117F. Limitations on uses of funds.

“SUBPART C—CLEARINGHOUSE

- “Sec. 118. Service-learning clearinghouse.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY
SERVICE

- “Sec. 119. Higher education innovative programs for community service.

“PART III—GENERAL PROVISIONS

- “Sec. 120. [Availability of appropriations.]”.

1 SEC. 104. QUALITY AND INNOVATION ACTIVITIES.

2 (a) REPEAL.—Subtitle E of title I of the National
3 and Community Service Act of 1990 (42 U.S.C. 12591
4 et seq.) is repealed.

5 (b) TRANSFER.—Title I of the National and Commu-
6 nity Service Act of 1990 is amended—

7 (1) by redesignating subtitle H (42 U.S.C.
8 12653 et seq.) as subtitle E;

9 (2) by inserting subtitle E (as redesignated by
10 paragraph (1) of this subsection) after subtitle D;
11 and

1 (3) by redesignating sections 195 through 195O
2 as sections 151 through 166, respectively.

3 (c) INVESTMENT FOR QUALITY AND INNOVATION.—
4 Title I of the National and Community Service Act of
5 1990 (as amended by subsection (b) of this section) is
6 amended by [adding at the end] the following new sub-
7 title:

8 **“Subtitle H—Investment for**
9 **Quality and Innovation**

10 **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**
11 **PORT NATIONAL SERVICE.**

12 “(a) METHODS OF CONDUCTING ACTIVITIES.—The
13 Corporation may carry out this section directly (except as
14 provided in subsection (r)) or through grants, contracts,
15 and cooperative agreements with other entities.

16 “(b) INNOVATION AND QUALITY IMPROVEMENT.—

17 “(1) ACTIVITIES.—The Corporation may under-
18 take activities to improve the quality of national
19 service programs [, including service-learning pro-
20 grams,] and to support innovative and model pro-
21 grams, including—

22 “(A) programs, including programs for
23 rural youth, under subtitle B or C;

24 “(B) employer-based retiree programs;

25 “(C) intergenerational programs;

1 “(D) programs **【involving】** individuals
2 with disabilities as participants providing serv-
3 ice; and

4 “(E) programs sponsored by Governors.

5 “(2) INTERGENERATIONAL PROGRAM.—An
6 intergenerational program referred to in paragraph
7 (1)(C) may include a program in which older adults
8 provide services to children who participate in Head
9 Start programs under the Head Start Act (42
10 U.S.C. 9831 et seq.).

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

15 “(d) COMMUNITY-BASED AGENCIES.—The Corpora-
16 tion may provide training and technical assistance and
17 other assistance to service sponsors and other community-
18 based agencies that provide volunteer placements in order
19 to improve the ability of such agencies to use participants
20 and other volunteers in a manner that results in high-qual-
21 ity service and a positive service experience for the partici-
22 pants and volunteers.

23 “(e) IMPROVE ABILITY TO APPLY FOR ASSIST-
24 ANCE.—The Corporation shall provide training and tech-
25 nical assistance, where necessary, to individuals, pro-

1 grams, local labor organizations, State educational agen-
2 cies, State Commissions, local educational agencies, local
3 governments, community-based agencies, and other enti-
4 ties to enable them to apply for funding under one of the
5 national service laws, to conduct high-quality programs,
6 to evaluate such programs, and for other purposes.

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

9 “(g) CONFERENCES AND MATERIALS.—The Corpora-
10 tion may organize and hold conferences, and prepare and
11 publish materials, to disseminate information and promote
12 the sharing of information among programs for the pur-
13 pose of improving the quality of programs and projects.

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

24 “(i) PROMOTION AND RECRUITMENT.—The Corpora-
25 tion may conduct a campaign to solicit funds for the Na-

1 tional Service Trust [should this be the National and
2 Community Service Trust?] and other programs and ac-
3 tivities authorized under the national service laws and to
4 promote and recruit participants for programs that receive
5 assistance under the national service laws.

6 “(j) TRAINING.—The Corporation may support na-
7 tional and regional participant and supervisor training, in-
8 cluding leadership training and training in specific types
9 of service and in building the ethic of civic responsibility.

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

12 “(l) INTERGENERATIONAL SUPPORT.—The Corpora-
13 tion may assist programs in developing a service compo-
14 nent that combines students, out-of-school youths, and
15 older adults as participants to provide needed community
16 services.

17 “(m) PLANNING COORDINATION.—The Corporation
18 may coordinate community-wide planning among pro-
19 grams and projects.

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

23 “(o) NATIONAL PROGRAM IDENTITY.—The Corpora-
24 tion may support the development and dissemination of
25 materials, including training materials, and arrange for

1 uniforms and insignia, designed to promote unity and
2 shared features among programs that receive assistance
3 under the national service laws.

4 “(p) SERVICE-LEARNING.—The Corporation shall
5 support innovative programs and activities that promote
6 service-learning.

7 “(q) NATIONAL YOUTH SERVICE DAY.—

8 “(1) DESIGNATION.—April 19, 1994, and April
9 18, 1995 are each designated as ‘National Youth
10 Service Day’. The President is authorized and di-
11 rected to issue a proclamation calling on the people
12 of the United States to observe the day with appro-
13 priate ceremonies and activities.

14 “(2) FEDERAL ACTIVITIES.—In order to ob-
15 serve National Youth Service Day at the Federal
16 level, the Corporation may organize and carry out
17 appropriate ceremonies and activities.

18 “(3) ACTIVITIES.—The Corporation may make
19 grants to [public or private] nonprofit organizations
20 with demonstrated ability to carry out appropriate
21 activities, in order to support such activities on Na-
22 tional Youth Service Day.

23 “(r) ASSISTANCE FOR HEAD START.—The Corpora-
24 tion may make grants to, and enter into contracts and
25 cooperative agreements with, public or nonprofit private

1 agencies and organizations that receive grants or contracts
2 under the Foster Grandparent Program (part B of title
3 II of the Domestic Volunteer Service Act of 1973 (29
4 U.S.C. 5011 et seq.)), for projects of the type described
5 in section 211(a) of such Act (29 U.S.C. 5011) operating
6 under memoranda of agreement with the ACTION Agen-
7 cy, for the purpose of increasing the number of low-income
8 individuals who provide services under such program to
9 children who participate in Head Start programs under
10 the Head Start Act (42 U.S.C 9831 et seq). [Similar to
11 subsection (b)(2).]

12 **“SEC. 198A. CLEARINGHOUSES.**

13 “(a) ASSISTANCE.—The Corporation shall provide as-
14 sistance to appropriate entities to establish one or more
15 clearinghouses, including the clearinghouse described in
16 section 118.

17 “(b) APPLICATION.—To be eligible to receive assist-
18 ance under subsection (a), an entity shall submit an appli-
19 cation to the Corporation at such time, in such manner,
20 and containing such information as the Corporation may
21 require.

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

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

4 “(2) conduct research and evaluations concern-
5 ing community service;

6 “(3)(A) provide leadership development and
7 training to State and local community service pro-
8 gram administrators, supervisors, and participants;
9 and

10 “(B) provide training to persons who can pro-
11 vide the leadership development and training de-
12 scribed in subparagraph (A);

13 “(4) facilitate communication among entities
14 carrying out community service programs and par-
15 ticipants;

16 “(5) provide information, curriculum materials,
17 and technical assistance relating to planning and op-
18 eration of community service programs, to States
19 and local entities eligible to receive funds under this
20 title;

21 “(6)(A) gather and disseminate information on
22 successful community service programs, components
23 of such successful programs, innovative youth skills
24 curriculum, and community service projects; and

1 “(B) coordinate the activities of the clearing-
2 house with appropriate entities to avoid duplication
3 of effort;

4 “(7) make recommendations to State and local
5 entities on quality controls to improve the delivery of
6 community service programs and on changes in the
7 programs under this title; and

8 “(8) carry out such other activities as the Chief
9 Executive Officer determines to be appropriate.

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

11 “(a) PRESIDENTIAL AWARDS.—

12 “(1) IN GENERAL.—The President, acting
13 through the Corporation, may make Presidential
14 awards for service to individuals providing signifi-
15 cant service, and to outstanding service programs.

16 “(2) INDIVIDUALS AND PROGRAMS.—Notwith-
17 standing section 101(19)—

18 “(A) an individual receiving an award
19 under this subsection need not be a participant
20 in a program authorized under this Act; and

21 “(B) a program receiving an award under
22 this subsection need not be a program author-
23 ized under this Act.

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

4 “(A) is authorized to incur necessary ex-
5 penses for the honorary recognition of the indi-
6 vidual or program; and

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

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

13 **“SEC. 198C. MILITARY INSTALLATION CONVERSION DEM-**
14 **ONSTRATION PROGRAMS.**

15 “(a) PURPOSES.—The purposes of this section are
16 to—

17 “(1) provide meaningful service opportunities
18 for economically disadvantaged youth;

19 “(2) fully utilize military installations affected
20 by closures or realignments;

21 “(3) encourage communities affected by such
22 closures or realignments to convert the installations
23 to community use; and

24 “(4) foster a sense of community pride in the
25 youth in the community.

1 “(b) DEFINITIONS.—As used in this section:

2 “(1) AFFECTED MILITARY INSTALLATION.—

3 The term ‘affected military installation’ means a
4 military installation described in section 325(e)(1) of
5 the Job Training Partnership Act (29 U.S.C.
6 1662d(e)(1)).

7 “(2) COMMUNITY.—The term ‘community’ in-
8 cludes a county.

9 “(3) CONVERT TO COMMUNITY USE.—The term
10 ‘convert to community use’, used with respect to an
11 affected military installation, includes—

12 “(A) conversion of the installation or a
13 part of the installation to—

14 “(i) a park;

15 “(ii) a community center;

16 “(iii) a recreational facility; or

17 “(iv) a facility for a Head Start pro-
18 gram under the Head Start Act (42 U.S.C.
19 9831 et seq.); and

20 “(B) carrying out, at the installation, a
21 construction or economic development project
22 that is of substantial benefit, as determined by
23 the Chief Executive Officer, to—

24 “(i) the community in which the in-
25 stallation is located; or

1 “(ii) a community located within such
2 distance of the installation as the Chief
3 Executive Officer may determine by regu-
4 lation to be appropriate.

5 “(4) DEMONSTRATION PROGRAM.—The term
6 ‘demonstration program’ means a program described
7 in subsection (c).

8 “(c) DEMONSTRATION PROGRAMS.—

9 “(1) GRANTS.—The Corporation may make
10 grants to communities and community-based agen-
11 cies to pay for the Federal share of establishing and
12 carrying out military installation conversion dem-
13 onstration programs, to assist in converting to com-
14 munity use affected military installations located—

15 “(A) within the community; or

16 “(B) within such distance from the com-
17 munity as the Chief Executive Officer may by
18 regulation determine to be appropriate.

19 “(2) DURATION.—In carrying out such a dem-
20 onstration program, the community or community-
21 based agency may carry out—

22 “(A) a program of not less than 6 months
23 in duration; or

24 “(B) a full-time summer program.

25 “(d) USE OF FUNDS.—

1 “(1) STIPEND.—A community or community-
2 based agency that receives a grant under subsection
3 (c) to establish and carry out a project through a
4 demonstration program may use the funds made
5 available through such grant to pay for a portion of
6 a stipend for the participants in the project.

7 “(2) LIMITATION ON AMOUNT OF STIPEND.—
8 The amount of the stipend provided to a participant
9 under paragraph (1) that may be paid using assist-
10 ance provided under this section and using any other
11 Federal funds shall not exceed the lesser of—

12 “(A) 85 percent of the total average an-
13 nual subsistence allowance provided to VISTA
14 volunteers under section 105 of the Domestic
15 Volunteer Service Act of 1973 (42 U.S.C.
16 4955); and

17 “(B) 85 percent of the stipend established
18 by the demonstration program involved.

19 “(e) PARTICIPANTS.—

20 “(1) ELIGIBILITY.—A person shall be eligible to
21 be selected as a participant in a project carried out
22 through a demonstration program if the person is—

23 “(A) an economically disadvantaged indi-
24 vidual; and

1 “(B)(i) a person described in section
2 153(b);

3 “(ii) a youth described in section 154(a);
4 or

5 “(iii) an eligible youth described in section
6 423 of the Job Training Partnership Act (29
7 U.S.C. 1693).

8 “(2) PARTICIPATION.—Persons desiring to par-
9 ticipate in such a project shall enter into an agree-
10 ment with the service sponsor of the project to
11 participate—

12 “(A) on a full-time or a part-time basis;
13 and

14 “(B) for the duration referred to in sub-
15 section (f)(2)(C).

16 “(f) APPLICATION.—

17 “(1) IN GENERAL.—To be eligible to receive a
18 grant under subsection (c), a community or commu-
19 nity-based agency shall submit an application to the
20 Chief Executive Officer at such time, in such man-
21 ner, and containing such information as the Chief
22 Executive Officer may require.

23 “(2) CONTENTS.—At a minimum, such applica-
24 tion shall contain—

1 “(A) a description of the demonstration
2 program proposed to be conducted by the appli-
3 cant;

4 “(B) a proposal for carrying out the pro-
5 gram that describes the manner in which the
6 applicant will—

7 “(i) provide preservice and inservice
8 training, for supervisors and participants,
9 that will be conducted by qualified individ-
10 uals or qualified organizations;

11 “(ii) conduct an appropriate evalua-
12 tion of the program; and

13 “(iii) provide for appropriate commu-
14 nity involvement in the program;

15 “(C) information indicating the duration of
16 the program; and

17 “(D) an assurance that the applicant will
18 comply with the nonduplication and
19 nondisplacement provisions of section 177 and
20 the grievance procedure requirements of section
21 176(f).

22 “(g) LIMITATION ON GRANT.—In making a grant
23 under subsection (c) with respect to a demonstration pro-
24 gram to assist in converting an affected military installa-

1 tion, the Corporation shall not make a grant for more than
 2 25 percent of the total cost of the conversion.”.

3 (d) TABLE OF CONTENTS.—

4 (1) CIVILIAN COMMUNITY CORPS.—Section 1(b)
 5 of the National and Community Service Act of 1990
 6 (Public Law 101–610; 104 Stat. 3127) is amended
 7 by striking the items relating to subtitle E of title
 8 I of such Act and inserting the following:

“Subtitle E—Civilian Community Corps

“Sec. 151. Purpose.

“Sec. 152. Establishment of Civilian Community Corps Demonstration Program.

“Sec. 153. National service program.

“Sec. 154. Summer national service program.

“Sec. 155. Civilian Community Corps.

“Sec. 156. Training.

“Sec. 157. Service projects.

“Sec. 158. Authorized benefits for Corps members.

“Sec. 159. Administrative provisions.

“Sec. 160. Status of Corps members and Corps personnel under Federal law.

“Sec. 161. Contract and grant authority.

“Sec. 162. Responsibilities of other departments.

“Sec. 163. Advisory board.

“Sec. 164. Annual evaluation.

“Sec. 165. Funding limitation.

“Sec. 166. Definitions.”.

9 (2) QUALITY AND INNOVATION.—Section 1(b)
 10 of the National and Community Service Act of 1990
 11 (Public Law 101–610; 104 Stat. 3127) is amended
 12 by striking the items relating to subtitle H of title
 13 I of such Act and inserting the following:

“Subtitle H—Investment for Quality and Innovation

“Sec. 198. Additional corporation activities to support national service.

“Sec. 198A. Clearinghouses.

“Sec. 198B. Presidential awards for service.

“Sec. 198C. Military installation conversion demonstration programs.”.

1 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

2 (1) NATIONAL DEFENSE AUTHORIZATION ACT
3 FOR FISCAL YEAR 1993.—

4 (A) Section 1091(f)(2) of the National De-
5 fense Authorization Act for Fiscal Year 1993
6 (Public Law 102–484) is amended by striking
7 “195G” and inserting “158”.

8 (B) Paragraphs (1) and (2) of section
9 1092(b), and sections 1092(c), 1093(a), and
10 1094(a) of such Act are amended by striking
11 “195A” and inserting “152”.

12 (C) Sections 1091(f)(2), 1092(b)(1), and
13 1094(a), and subsections (a) and (c) of section
14 1095 of such Act are amended by striking
15 “subtitle H” and inserting “subtitle E”.

16 (D) Section 1094(b)(1) and subsections (b)
17 and (c)(1) of section 1095 of such Act are
18 amended by striking “subtitles B, C, D, E, F,
19 and G” and inserting “subtitles B, C, D, F, G,
20 and H”.

21 (2) NATIONAL AND COMMUNITY SERVICE ACT
22 OF 1990.—

23 (A) Section 153(a) of the National and
24 Community Service Act of 1990 (as redesign-
25 nated in subsection (b)(3) of this section) (42

1 U.S.C. 12653b(a)) is amended by striking
2 “195A(a)” and inserting “152(a)”.

3 (B) Section 154(a) of such Act (as redesign-
4 nated in subsection (b)(3) of this section) (42
5 U.S.C. 12653c(a)) is amended by striking
6 “195A(a)” and inserting “152(a)”.

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

10 (i) in subsection (a), by striking
11 “195H(c)(1)” and inserting “159(c)(1)”;

12 (ii) in subsection (c)(2), by striking
13 “195H(c)(2)” and inserting “159(c)(2)”;
14 and

15 (iii) in subsection (d)(3), by striking
16 “195K(a)(3)” and inserting “162(a)(3)”.

17 (D) Section 156 of such Act (as redesign-
18 nated in subsection (b)(3) of this section) (42
19 U.S.C. 12653e) is amended—

20 (i) in subsection (c)(1), by striking
21 “195H(c)(2)” and inserting “159(c)(2)”;
22 and

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

1 (E) Section 159 of such Act (as redesign-
2 nated in subsection (b)(3) of this section) (42
3 U.S.C. 12653h) is amended—

4 (i) in subsection (a)—

5 (I) by striking “195A” and in-
6 serting “152”; and

7 (II) in paragraph (2), by striking
8 “195” and inserting “151”; and

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

12 (F) Section 161(b)(1)(B) of such Act (as
13 redesignated in subsection (b)(3) of this sec-
14 tion) (42 U.S.C. 12653j(b)(1)(B)) is amended
15 by striking “195K(a)(3)” and inserting
16 “162(a)(3)”.

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

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

24 (i) in paragraph (2), by striking
25 “195D” and inserting “155”;

1 (ii) in paragraph (8), by striking
2 “195A” and inserting “152”;

3 (iii) in paragraph (10), by striking
4 “195D(d)” and inserting “155(d)”; and

5 (iv) in paragraph (11), by striking
6 “195D(c)” and inserting “155(c)”.

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

16 (g) PARTICIPANTS.—

17 (1) NATIONAL SERVICE PROGRAM.—**【**Section
18 153 of the National and Community Service Act of
19 1990 (as redesignated in subsection (b)(3) of this
20 section) (42 U.S.C. 12653b) is amended—

21 (A) by striking subsection (d); and

22 (B) by redesignating subsection (e) as sub-
23 section (d).**】** **【Include?】**

24 (2) SUMMER NATIONAL SERVICE PROGRAM.—
25 **【**Section 154 of the National and Community Serv-

1 ice Act of 1990 (as redesignated in subsection (b)(3)
2 of this section) (42 U.S.C. 12653c) is amended—

3 (A) by striking subsection (b); and

4 (B) by redesignating subsection (c) as sub-
5 section (b).] **[[Include?]]**

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

12 “(f) NATIONAL SERVICE EDUCATIONAL AWARDS.—
13 A Corps member who successfully completes a period of
14 agreed service in the Corps may receive the national serv-
15 ice educational award described in subtitle D if the Corps
16 member—

17 “(1) serves in an approved national service po-
18 sition; and

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

22 “(g) ALTERNATIVE BENEFIT.—If a Corps member
23 who successfully completes a period of agreed service in
24 the Corps is ineligible for the national service educational
25 award described in subtitle D, the Director may provide

1 for the provision of a suitable alternative benefit for the
2 Corps member.”.

3 **[PROVISIONS RELATING TO THE PUB-**
4 **LIC LAND CORPS AND URBAN YOUTH**
5 **CORPS TO BE SUPPLIED BY HLC.]**

6 **Subtitle B—Related Provisions**

7 **SEC. 111. DEFINITIONS.**

8 (a) IN GENERAL.—Section 101 of the National and
9 Community Service Act of 1990 (42 U.S.C. 12511) is
10 amended to read as follows:

11 **“SEC. 101. DEFINITIONS.**

12 “For purposes of this title:

13 “(1) ADULT VOLUNTEER.—The term ‘adult
14 volunteer’ means an individual, such as an older
15 adult, an individual with a disability, a parent, or an
16 employee of a business or public or private nonprofit
17 **[organization]**, who—

18 “(A) works without financial remuneration
19 in an educational institution to assist students
20 or out-of-school youth; and

21 “(B) is beyond the age of compulsory
22 school attendance in the State in which the edu-
23 cational institution is located.

24 “(2) APPROVED NATIONAL SERVICE POSI-
25 TION.—The term ‘approved national service position’

1 means a national service position [for which the
2 Corporation has approved] the provision of a na-
3 tional service educational award described in section
4 147 as one of the benefits to be provided for suc-
5 cessful service in the position.

6 “(3) CARRY OUT.—The term ‘carry out’, when
7 used in connection with a national service program
8 described in section 122, means the planning, estab-
9 lishment, operation, expansion, or replication of the
10 program.

11 “(4) CHIEF EXECUTIVE OFFICER.—The term
12 ‘Chief Executive Officer’ means the Chief Executive
13 Officer of the Corporation appointed under section
14 193.

EXCEPT

15 “(5) COMMUNITY-BASED AGENCY.—The term
16 ‘community-based agency’ means a private nonprofit
17 organization (including a church or other religious
18 entity) that—

19 “(A) is representative of a community or a
20 significant segment of a community; and

21 “(B) is engaged in meeting human, edu-
22 cational, environmental, or public safety com-
23 munity needs.

1 “(6) CORPORATION.—The term ‘Corporation’
2 means the Corporation for National and Community
3 Service established under section 191.

4 “(7) ECONOMICALLY DISADVANTAGED.—The
5 term ‘economically disadvantaged’ means, with re-
6 spect to an individual, an individual who is deter-
7 mined by the Chief Executive Officer to be low-in-
8 come according to the latest available data from the
9 Department of Commerce.

10 “(8) ELEMENTARY SCHOOL.—The term ‘ele-
11 mentary school’ has the same meaning given such
12 term in section 1471(8) of the Elementary and Sec-
13 ondary Education Act of 1965 (20 U.S.C. 2891(8)).

14 “(9) INDIAN.—The term ‘Indian’ means a per-
15 son who is a member of an Indian tribe, [or is a
16 ‘Native’, as defined in section 3(b) of the Alaska Na-
17 tive Claims Settlement Act (43 U.S.C. 1602(b)).]

18 “(10) INDIAN LANDS.—[The term ‘Indian
19 lands’ means any real property owned by an Indian
20 tribe, any real property held in trust by the United
21 States for an Indian or Indian tribe, and any real
22 property held by an Indian or Indian tribe that is
23 subject to restrictions on alienation imposed by the
24 United States.] OR

1 “(10) INDIAN LANDS.—【The term ‘Indian
2 lands’ means—

3 “(A) any Indian reservation;

4 “(B) any public domain Indian allotments;

5 “(C) any former Indian reservation in the
6 State of Oklahoma;

7 “(D) any land held by incorporated Native
8 groups, regional corporations, and village cor-
9 porations under the Alaska Native Claims Set-
10 tlement Act (43 U.S.C. 1701 et seq.); and

11 “(E) any land held by dependent Indian
12 communities within the borders of the United
13 States whether within the original or subse-
14 quently acquired territory thereof, and whether
15 within or without the limits of a State.】

16 “(11) INDIAN TRIBE.—【The term ‘Indian tribe’
17 means—

18 “(A) an Indian tribe, band, nation, or
19 other organized group or community,
20 including—

21 “(i) any Native village, as defined in
22 section 3(c) of the Alaska Native Claims
23 Settlement Act (43 U.S.C. 1602(c)),
24 whether organized traditionally or pursu-
25 ant to the Act of June 18, 1934 (com-

1 monly known as the ‘Indian Reorganiza-
2 tion Act’; 48 Stat. 984, chapter 576; 25
3 U.S.C 461 et seq.); and

4 “(ii) any Regional Corporation or Vil-
5 lage Corporation, as defined in subsection
6 (g) or (j), respectively, of section 3 of the
7 Alaska Native Claims Settlement Act (43
8 U.S.C. 1602 (g) or (j)),

9 that is recognized as eligible for the special pro-
10 grams and services provided by the United
11 States under Federal law to Indians because of
12 their status as Indians; and

13 “(B) any tribal organization controlled,
14 sanctioned, or chartered by an entity described
15 in subparagraph (A).】 OR

16 “(11) INDIAN TRIBE.—【The term ‘Indian tribe’
17 means an Indian tribe, band, nation, or other orga-
18 nized group or community, including any Native vil-
19 lage, Regional Corporation, or Village Corporation,
20 as defined in subsection (c), (g), or (j), respectively,
21 of section 3 of the Alaska Native Claims Settlement
22 Act (43 U.S.C. 1602 (c), (g), or (j)), that is recog-
23 nized as eligible for the special programs and serv-
24 ices provided by the United States under Federal
25 law to Indians because of their status as Indians.】

1 “(12) INDIVIDUAL WITH A DISABILITY.—Ex-
2 cept as provided in section 175(a), the term ‘individ-
3 ual with a disability’ has the meaning given the term
4 in section 7(8) of the Rehabilitation Act of 1973 (29
5 U.S.C. 706(8)). **【This probably means section**
6 7(8)(A) of the Rehabilitation Act of 1973. Please
7 confirm.】

8 “(13) INSTITUTION OF HIGHER EDUCATION.—
9 The term ‘institution of higher education’ has the
10 same meaning given such term in section 1201(a) of
11 the Higher Education Act of 1965 (20 U.S.C.
12 1141(a)).

13 “(14) LOCAL EDUCATIONAL AGENCY.—The
14 term ‘local educational agency’ has the same mean-
15 ing given such term in section 1471(12) of the Ele-
16 mentary and Secondary Education Act of 1965 (20
17 U.S.C. 2891(12)).

18 “(15) NATIONAL SERVICE LAWS.—The term
19 ‘national service laws’ means this Act and the Do-
20 mestic Volunteer Service Act of 1973 (42 U.S.C.
21 4950 et seq.).

22 “(16) OUT-OF-SCHOOL YOUTH.—The term ‘out-
23 of-school youth’ means an individual who—

24 “(A) has not attained the age of 27;

1 “(B) has not completed college or the
2 equivalent thereof; and

3 “(C) is not enrolled in an elementary or
4 secondary school or institution of higher edu-
5 cation.

6 “(17) PARTICIPANT.—

7 “(A) IN GENERAL.—The term ‘participant’
8 means—

9 “(i) for purposes of subtitle C, an in-
10 dividual in an approved national service
11 position; and

12 “(ii) for purposes of any other provi-
13 sion of this Act, an individual enrolled in
14 a program that receives assistance under
15 this title.

16 “(B) RULE.—A participant shall not be
17 considered to be an employee of the program in
18 which the participant is enrolled.

19 “(18) PARTNERSHIP PROGRAM.—The term
20 ‘partnership program’ means a program through
21 which an adult volunteer, a public or private non-
22 profit **【organization】**, an institution of higher edu-
23 cation, or a business assists a local educational
24 agency.

1 “(19) PROGRAM.—The term ‘program’, except
2 when used as part of the term ‘academic program’,
3 means a program described in section 111(a) (other
4 than a program referred to in paragraph (3)(B) of
5 such section), 117A(a), 119(b)(1), or 122(a), or in
6 paragraph (1) or (2) of section 152(b), or [an activ-
7 ity that could be funded under section 198 or
8 198C.]

—unless the
context
otherwise
requires

9 “(20) PROJECT.—The term ‘project’ means an
10 activity, carried out through a program that receives
11 assistance under this title, that results in a specific
12 identifiable service or improvement that otherwise
13 would not be done with existing funds, and that does
14 not duplicate the routine services or functions of the
15 employer to whom participants are assigned.

16 “(21) SCHOOL-AGE YOUTH.—The term ‘school-
17 age youth’ means—

18 “(A) individuals between the ages of 5 and
19 17, inclusive; and

20 “(B) children with disabilities, as defined
21 in section 602(a)(1) of the Individuals with Dis-
22 abilities Education Act (20 U.S.C. 1401(a)(1)),
23 who receive services under part B of such Act.

24 “(22) SECONDARY SCHOOL.—The term ‘second-
25 ary school’ has the same meaning given such term

1 in section 1471(21) of the Elementary and Second-
2 ary Education Act of 1965 (20 U.S.C. 2891(21)).

3 “(23) SERVICE-LEARNING.—The term ‘service-
4 learning’ means a method—

5 “(A) under which students or participants
6 learn and develop through active participation
7 in thoughtfully organized service that—

8 “(i) is conducted in and meets the
9 needs of a community;

10 “(ii) is coordinated with an elemen-
11 tary school, secondary school, institution of
12 higher education, or community service
13 program, and with the community; and

14 “(iii) helps foster civic responsibility;
15 and

16 “(B) that—

17 “(i) is integrated into and enhances
18 the academic curriculum of the students,
19 or the educational components of the com-
20 munity service program in which the par-
21 ticipants are enrolled; and

22 “(ii) provides structured time for the
23 students or participants to reflect on the
24 service experience.

1 “(24) SERVICE-LEARNING COORDINATOR.—The
2 term ‘service-learning coordinator’ means an individ-
3 ual who provides services as described in subsection
4 (a)(3) **【or (b)】** of section 111.

5 “(25) SERVICE SPONSOR.—The term ‘service
6 sponsor’ means an organization, or other entity, that
7 has been selected to provide a placement for a par-
8 ticipant.

9 “(26) STATE.—The term ‘State’ means each of
10 the several States, the District of Columbia, the
11 Commonwealth of Puerto Rico, the United States
12 Virgin Islands, Guam, American Samoa, and the
13 Commonwealth of the Northern Mariana Islands.
14 The term also includes Palau, until such time as the
15 Compact of Free Association is ratified.

16 “(27) STATE COMMISSION.—The term ‘State
17 Commission’ means a State Commission on National
18 and Community Service maintained by a State pur-
19 suant to section 178. Except when used in section
20 178, the term includes an alternative administrative
21 entity for a State approved by the Corporation
22 under such section to act in lieu of a State Commis-
23 sion.

24 “(28) STATE EDUCATIONAL AGENCY.—The
25 term ‘State educational agency’ has the same mean-

1 ing given such term in section 1471(23) of the Ele-
2 mentary and Secondary Education Act of 1965 (20
3 U.S.C. 2891(23)).

4 “(29) STUDENT.—The term ‘student’ means an
5 individual who is enrolled in an elementary or sec-
6 ondary school or institution of higher education on
7 a full- or part-time basis.”.

8 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

9 (1) Section 182(a)(2) of the National and Com-
10 munity Service Act of 1990 (42 U.S.C 12642(a)(2))
11 is amended by striking “adult volunteer and partner-
12 ship” each place the term appears and inserting
13 “partnership”.

14 (2) Section 182(a)(3) of the National and Com-
15 munity Service Act of 1990 (42 U.S.C 12642(a)(3))
16 is amended by striking “adult volunteer and partner-
17 ship” and inserting “partnership”.

18 (3) Section 441(c)(2) of the Higher Education
19 Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by
20 striking “service opportunities or youth corps as de-
21 fined in section 101 of the National and Community
22 Service Act of 1990, and service in the agencies, in-
23 stitutions and activities designated in section 124(a)
24 of the National and Community Service Act of
25 1990” and inserting “a project, as defined in section

1 101(20) of the National and Community Service Act
2 of 1990 (42 U.S.C. 12511(20))”.

3 (4) Section 1122(a)(2)(C) of the Higher Edu-
4 cation Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is
5 amended by striking “youth corps as defined in sec-
6 tion 101(30) of the National and Community Service
7 Act of 1990” and inserting “youth corps programs,
8 as described in [section 122(a)(1)] of the National
9 and Community Service Act of 1990”.

10 (5) Section 1201(p) of the Higher Education
11 Act of 1965 (20 U.S.C. 1141(p)) is amended by
12 striking “section 101(22) of the National and Com-
13 munity Service Act of 1990” and inserting “section
14 101(23) of the National and Community Service Act
15 of 1990 (42 U.S.C. 12511(21))”.

16 **SEC. 112. AUTHORITY TO MAKE STATE GRANTS.**

17 Section 102 of the National and Community Service
18 Act of 1990 (42 U.S.C. 12512) is repealed.

19 **SEC. 113. FAMILY AND MEDICAL LEAVE.**

20 (a) IN GENERAL.—Section 171 of the National and
21 Community Service Act of 1990 (42 U.S.C. 12631) is
22 amended to read as follows:

1 **“SEC. 171. FAMILY AND MEDICAL LEAVE.**

2 “(a) PARTICIPANTS IN PRIVATE, STATE, AND LOCAL
3 PROJECTS.—For purposes of title I of the Family and
4 Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), if—

5 “(1) a participant has provided service for the
6 period required by section 101(2)(A)(i) (29 U.S.C.
7 2611(2)(A)(i)), and has met the hours of service re-
8 quirement of section 101(2)(A)(ii), of such Act with
9 respect to a project; and

10 “(2) the service sponsor of the project is an em-
11 ployer described in section 101(4) of such Act (other
12 than an employing agency within the meaning of
13 subchapter V of chapter 63 of title 5, United States
14 Code),

15 the participant shall be considered to be an eligible em-
16 ployee of the service sponsor.

17 “(b) PARTICIPANTS IN FEDERAL PROJECTS.—For
18 purposes of subchapter V of chapter 63 of title 5, United
19 States Code, if—

20 “(1) a participant has provided service for the
21 period required by section 6381(1)(B) of such title
22 with respect to a project; and

23 “(2) the service sponsor of the project is an em-
24 ploying agency within the meaning of such sub-
25 chapter,

1 the participant shall be considered to be an employee of
2 the service sponsor.

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

10 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
11 tional and Community Service Act of 1990 (Public Law
12 101–610; 104 Stat. 3127) is amended by striking the item
13 relating to section 171 of such Act and inserting the fol-
14 lowing:

“Sec. 171. Family and medical leave.”.

15 **SEC. 114. REPORTS.**

16 Section 172 of the National and Community Service
17 Act of 1990 (42 U.S.C. 12632) is amended—

18 (1) in subsection (a)(3)(A), by striking “sec-
19 tions 177 and 113(9)” and inserting “section 177”;

20 (2) in subsection (b)—

21 (A) **by striking “REPORT TO CONGRESS”;**
22 **and inserting “REPORT TO CONGRESS BY COR-**
23 **PORATION”; and]** **[Include? From Senate bill.]**

1 (B) in paragraph (1), by striking “this
2 title” and inserting “the national service laws”;
3 and

4 (3) by adding at the end the following:

5 “(c) REPORT TO CONGRESS BY SECRETARY OF DE-
6 FENSE.—

7 “(1) STUDY.—[The Secretary of Defense shall
8 annually conduct a study of the effect of the pro-
9 grams carried out under this title on recruitment for
10 the Armed Forces.

11 “(2) REPORT.—The Secretary of Defense shall
12 annually submit a report to the appropriate commit-
13 tees of Congress containing the findings of the study
14 described in paragraph (1) and such recommenda-
15 tions for legislative and administrative reform as the
16 Secretary may determine to be appropriate.”] [In-
17 clude? From Senate bill.].

18 **SEC. 115. NONDISCRIMINATION.**

19 Section 175 of the National and Community Service
20 Act of 1990 (42 U.S.C. 12635) is amended to read as
21 follows:

22 **“SEC. 175. NONDISCRIMINATION.**

23 “(a) IN GENERAL.—

24 “(1) BASIS.—An individual with responsibility
25 for the operation of a project that receives assistance

1 under this title shall not discriminate against a par-
2 ticipant in, or member of the staff of, such project
3 on the basis of race, color, national origin, sex, age,
4 or political affiliation of such participant or member,
5 or on the basis of disability, if the participant or
6 member is a qualified individual with a disability.

7 “(2) DEFINITION.—As used in paragraph (1),
8 the term ‘qualified individual with a disability’ has
9 the meaning given the term in section 101(8) of the
10 Americans with Disabilities Act of 1990 (42 U.S.C.
11 12111(8)).

12 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
13 ance provided under this title shall constitute Federal fi-
14 nancial assistance for purposes of title VI of the Civil
15 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
16 of the Education Amendments of 1972 (20 U.S.C. 1681
17 et seq.), section 504 of the Rehabilitation Act of 1973 (29
18 U.S.C. 794), and the Age Discrimination Act of 1975 (42
19 U.S.C. 6101 et seq.), and shall constitute Federal finan-
20 cial assistance to an education program or activity for pur-
21 poses of the Education Amendments of 1972 (20 U.S.C.
22 1681 et seq.).

23 “(c) RELIGIOUS DISCRIMINATION.—

24 “(1) IN GENERAL.—Except as provided in para-
25 graph (2), an individual with responsibility for the

1 operation of a project that receives assistance under
2 this title shall not discriminate on the basis of reli-
3 gion against a participant in such project or a mem-
4 ber of the staff of such project who is paid with
5 funds received under this title.

6 “(2) EXCEPTION.—Paragraph (1) shall not
7 apply to the employment, with assistance provided
8 under this title, of any member of the staff, of a
9 project that receives assistance under this title, who
10 was employed with the organization operating the
11 project on the date the grant under this title was
12 awarded.

13 “(d) RULES AND REGULATIONS.—The Chief Execu-
14 tive Officer shall promulgate rules and regulations to pro-
15 vide for the enforcement of this section that shall include
16 provisions for summary suspension of assistance for not
17 more than 30 days, on an emergency basis, until notice
18 and an opportunity to be heard can be provided.”.

19 **SEC. 116. NOTICE, HEARING, AND GRIEVANCE PROCE-**
20 **DURES.**

21 (a) DECERTIFICATION OF POSITIONS.—Section
22 176(a) of the National and Community Service Act of
23 1990 (42 U.S.C. 12636(a)) is amended—

24 (1) in paragraph (1), by inserting “, or revoke
25 the designation of positions, related to the grant or

1 contract, as approved national service positions,” be-
2 fore “whenever the Commission”; and

3 (2) in paragraph (2)(B), by inserting “or re-
4 voked” after “terminated”.

5 (b) CONSTRUCTION.—Section 176(e) of such Act (42
6 U.S.C. 12636(e)) is amended by adding before the period
7 the following “, other than assistance provided pursuant
8 to this Act”.

9 (c) GRIEVANCE PROCEDURE.—Section 176(f) of such
10 Act is amended to read as follows:

11 “(f) GRIEVANCE PROCEDURE.—

12 “(1) IN GENERAL.—A State or local applicant
13 that receives assistance under this title shall estab-
14 lish and maintain a procedure for the filing and ad-
15 judication of grievances from participants, labor or-
16 ganizations, and other interested individuals con-
17 cerning projects that receive assistance under this
18 title, including grievances regarding proposed place-
19 ments of such participants in such projects.

20 “(2) DEADLINE FOR GRIEVANCES.—Except for
21 a grievance that alleges fraud or criminal activity, a
22 grievance shall be made not later than 1 year after
23 the date of the alleged occurrence of the event that
24 is the subject of the grievance.

1 “(3) DEADLINE FOR HEARING AND DECI-
2 SION.—

3 “(A) HEARING.—A hearing on any griev-
4 ance conducted under this subsection shall be
5 conducted not later than 30 days after the fil-
6 ing of such grievance.

7 “(B) DECISION.—A decision on any such
8 grievance shall be made not later than 60 days
9 after the filing of such grievance.

10 “(4) ARBITRATION.—

11 “(A) IN GENERAL.—

12 “(i) JOINTLY SELECTED ARBITRA-
13 TOR.—In the event of a decision on a
14 grievance that is adverse to the party who
15 filed such grievance, or 60 days after the
16 filing of such grievance if no decision has
17 been reached, such party shall be per-
18 mitted to submit such grievance to binding
19 arbitration before a qualified arbitrator
20 who is jointly selected and independent of
21 the interested parties.

22 “(ii) APPOINTED ARBITRATOR.—If
23 the parties cannot agree on an arbitrator,
24 the Chief Executive Officer shall appoint
25 an arbitrator from a list of qualified arbi-

1 trators within 15 days after receiving a re-
2 quest for such appointment from one of
3 the parties to the grievance.

4 “(B) DEADLINE FOR PROCEEDING.—An
5 arbitration proceeding shall be held not later
6 than 45 days after the request for such arbitra-
7 tion proceeding, or, if the arbitrator is ap-
8 pointed by the Chief Executive Officer in ac-
9 cordance with subparagraph (A)(ii), not later
10 than 30 days after the appointment of such ar-
11 bitrator.

12 “(C) DEADLINE FOR DECISION.—A deci-
13 sion concerning a grievance shall be made not
14 later than 30 days after the date such arbitra-
15 tion proceeding begins.

16 “(D) COST.—

17 “(i) IN GENERAL.—Except as pro-
18 vided in clause (ii), the cost of an arbitra-
19 tion proceeding shall be divided evenly be-
20 tween the parties to the arbitration.

21 “(ii) EXCEPTION.—If a participant,
22 labor organization, or other interested indi-
23 vidual described in paragraph (1) prevails
24 under a binding arbitration proceeding,
25 【the State or local applicant described in

1 paragraph (1)] that is a party to such
2 grievance shall pay the total cost of such
3 proceeding and the attorneys' fees of such
4 participant, labor organization, or individ-
5 ual, as the case may be.

6 “(5) PROPOSED PLACEMENT.—If a grievance is
7 filed regarding a proposed placement of a partici-
8 pant in a project that receives assistance under this
9 title, such placement shall not be made unless the
10 placement is consistent with the resolution of the
11 grievance pursuant to this subsection.

12 “(6) REMEDIES.—Remedies for a grievance
13 filed under this subsection include—

14 “(A) suspension of payments for assistance
15 under this title;

16 “(B) termination of such payments;

17 “(C) prohibition of the placement described
18 in paragraph (5); and

19 “(D) in a case in which the grievance in-
20 volves a violation of subsection (a) or (b) of sec-
21 tion 177 and the employer of the displaced em-
22 ployee is the recipient of assistance under this
23 title—

1 “(i) reinstatement of the displaced
2 employee to the position held by such em-
3 ployee prior to displacement;

4 “(ii) payment of lost wages and bene-
5 fits of the displaced employee;

6 “(iii) reestablishment of other relevant
7 terms, conditions, and privileges of employ-
8 ment of the displaced employee; and

9 “(iv) such equitable relief as is nec-
10 essary to correct any violation of sub-
11 section (a) or (b) of section 177 or to
12 make the displaced employee whole.

13 “(7) ENFORCEMENT.—Suits to enforce arbitra-
14 tion awards under this section may be brought in
15 any district court of the United States having juris-
16 diction of the parties, without regard to the amount
17 in controversy and without regard to the citizenship
18 of the parties.”.

19 **SEC. 117. NONDISPLACEMENT.**

20 Section 177(b)(3) of the National and Community
21 Service Act of 1990 (42 U.S.C. 12637(b)(3)) is
22 amended—

23 (1) in subparagraph (B), to read as follows:

24 “(B) SUPPLANTATION OF HIRING.—A par-
25 ticipant in any program receiving assistance

1 under this title shall not perform any services
2 or duties, or engage in activities, that—

3 “(i) will supplant the hiring of em-
4 ployed workers; or

5 “(ii) are services, duties, or activities
6 with respect to which an individual has re-
7 call rights pursuant to a collective bargain-
8 ing agreement or applicable personnel pro-
9 cedures.”; and

10 (2) in subparagraph (C)(iii), to read as follows:

11 “(iii) employee who—

12 “(I) is subject to a reduction in
13 force; or

14 “(II) has recall rights pursuant
15 to a collective bargaining agreement
16 or applicable personnel procedures;”.

17 **SEC. 118. EVALUATION.**

18 Section 179 of the National and Community Service
19 Act of 1990 (42 U.S.C 12639) is amended—

20 (1) in subsection (a)(2)—【Note that the lan-
21 guage changing “this title” to “the national service
22 laws” is dropped, for consistency.】

23 (A) in the matter preceding subparagraph
24 (A), by striking “for purposes of the reports re-
25 quired by subsection (j),” and inserting “with

1 respect to the programs authorized under sub-
2 title C,”; and

3 (B) in subparagraph (A), by striking
4 “older American volunteer programs” and in-
5 serting “National Senior Volunteer Corps pro-
6 grams”;

7 (2) in subsection (g)—

8 (A) in the matter preceding paragraph (1),
9 by striking “subtitle D” and inserting “subtitle
10 C”; and

11 (B) in paragraphs (3) and (9), by striking
12 “older American volunteer programs” and in-
13 serting “National Senior Volunteer Corps pro-
14 grams”;

15 (3) by striking subsections (i) and (j); and

16 (4) [by adding at the end the following:

17 “(i) INDEPENDENT EVALUATION AND REPORT OF
18 DEMOGRAPHICS OF NATIONAL SERVICE PARTICIPANTS
19 AND COMMUNITIES.—

20 “(1) INDEPENDENT EVALUATION.—

21 “(A) IN GENERAL.—The Corporation shall,
22 on an annual basis, arrange for an independent
23 evaluation of the programs assisted under sub-
24 title C.

25 “(B) PARTICIPANTS.—

1 “(i) IN GENERAL.—The entity con-
2 ducting such evaluation shall determine the
3 demographic characteristics of the partici-
4 pants in such programs.

5 “(ii) CHARACTERISTICS.—The entity
6 shall determine, for the year covered by the
7 evaluation, the total number of partici-
8 pants in the programs, and the number of
9 participants within the programs in each
10 State, by sex, age, economic background,
11 education level, ethnic group, disability
12 classification, and geographic region.

13 “(iii) CATEGORIES.—The Corporation
14 shall determine appropriate categories for
15 analysis of each of the characteristics re-
16 ferred to in clause (ii) for purposes of such
17 an evaluation.

18 “(C) COMMUNITIES.—In conducting the
19 evaluation, the entity shall determine the
20 amount of assistance provided under section
21 121 during the year that has been expended for
22 projects conducted under the programs in areas
23 described in [section 133(c)(6).]

24 “(2) REPORT.—The entity conducting the eval-
25 uation shall submit a report to the President, Con-

1 gress, the Corporation, and each State Commission
2 containing the results of the evaluation—

3 “(A) with respect to the evaluation cover-
4 ing the year beginning on the date of enactment
5 of this subsection, not later than 18 months
6 after such date; and

7 “(B) with respect to the evaluation cover-
8 ing each subsequent year, not later than 18
9 months after the first day of each such year.”.]

10 [Include? From Senate language.]

11 **SEC. 119. ENGAGEMENT OF PARTICIPANTS.**

12 Section 180 of the National and Community Service
13 Act of 1990 (42 U.S.C. 12640) is amended by striking
14 “post-service benefits” and inserting “national service
15 educational awards”.

16 **SEC. 120. CONTINGENT EXTENSION.**

17 (a) IN GENERAL.—Section 181 of the National and
18 Community Service Act of 1990 (42 U.S.C. 12641) is
19 amended to read as follows:

20 **“SEC. 181. CONTINGENT EXTENSION.**

21 “Section 414 of the General Education Provisions
22 Act (20 U.S.C. 1226a) shall apply to this Act.”.

23 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
24 tional and Community Service Act of 1990 (Public Law
25 101–610; 104 Stat. 3127) is amended by striking the item

1 relating to sections 181 of such Act and inserting the
2 following:

“Sec. 181. Contingent extension.”.

3 **SEC. 121. AUDITS.**

4 (a) IN GENERAL.—[Section 183 of the National and
5 Community Service Act of 1990 (42 U.S.C. 12643) is
6 amended to read as follows:

7 **“SEC. 183. RIGHTS OF ACCESS, EXAMINATION, AND COPY-**
8 **ING.**

9 “(a) COMPTROLLER GENERAL.—The Comptroller
10 General, or any of the duly authorized representatives of
11 the Comptroller General, shall have access to, and the
12 right to examine and copy, any books, documents, papers,
13 records, and other recorded information in any form—

14 “(1) within the possession or control of the Cor-
15 poration or any State or local government, Indian
16 tribe, or public or private nonprofit organization re-
17 ceiving assistance directly or indirectly under this
18 Act; and

19 “(2) that the Comptroller General, or his rep-
20 resentative, considers necessary to the performance
21 of an evaluation, audit, or review. [Please confirm
22 with the appropriate committee staff that this gives
23 the Comptroller General authorities not already pro-
24 vided by the Single Audit Act.]

1 “(b) CHIEF FINANCIAL OFFICER.—The Chief Finan-
2 cial Officer of the Corporation shall have access to, and
3 the right to examine and copy, any books, documents, pa-
4 pers, records, and other recorded information in any
5 form—

6 “(1) within the possession or control of the Cor-
7 poration or any State or local government, Indian
8 tribe, or public or private nonprofit organization re-
9 ceiving assistance directly or indirectly under this
10 Act; and

11 “(2) that relate to the duties of the Chief Fi-
12 nancial Officer.”. **【Include? From Senate bill.】**

13 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
14 tional and Community Service Act of 1990 (Public Law
15 101–610; 104 Stat. 3127) is amended by striking the item
16 relating to section 183 of such Act and inserting the
17 following:

“Sec. 183. Rights of access, examination, and copying.”.

18 **SEC. 122. REPEALS.**

19 (a) IN GENERAL.—Subtitle F of title I of the Na-
20 tional and Community Service Act of 1990 (42 U.S.C.
21 12631 et seq.) is amended by repealing sections 185 and
22 186.

23 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
24 tional and Community Service Act of 1990 (Public Law
25 101–610; 104 Stat. 3127) is amended by striking the item

1 relating to section 185 of such Act. [Language will be
2 affected if section 183 is to be repealed rather than
3 amended.]

4 **SEC. 123. EFFECTIVE DATE.**

5 This title, and the amendments made by this title,
6 shall take effect on October 1, 1993.

8/4/93
CR

**TITLE I—PROGRAMS AND
RELATED PROVISIONS**
Subtitle A—Programs

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

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

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

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

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

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

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

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

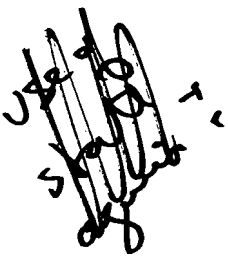
4 **“SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE AND AP-**
5 **PROVED NATIONAL SERVICE POSITIONS.**

6 “(a) **PROVISION OF ASSISTANCE.**—The Corporation
7 for National ^{and Community} Service may make grants to States, sub-
8 divisions of States, Indian tribes, public or private non-
9 profit organizations, and institutions of higher education
10 for the purpose of assisting the recipients of the grants—

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 “(e) MATCHING FUNDS REQUIREMENTS.—

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

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

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

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

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

15 “(3) COST OF HEALTH CARE.—In providing a
16 payment in cash under paragraph (2)(A) as part of
17 providing for the remaining share of the cost of car-
18 rying out a national service program, the program
19 may count not more than 85 percent of the cost of
20 providing a health care policy described in section
21 140(d)(2) toward such share.

22 “(4) WAIVER.—The Corporation may waive in
23 whole or in part the requirements of paragraph (1)
24 with respect to a national service program in any fis-
25 cal year if the Corporation determines that such a

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

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

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

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

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

22 **"(2)** A full-time, year-round youth corps pro-
23 gram or full-time summer youth corps program,
24 such as a conservation corps or youth service corps
25 (including the Public Lands Corps established under

1 the Public Lands Corps Act of 1993, the Urban
2 Youth Corps established under section 106 of the
3 National Service Trust Act of 1993, and other con-
4 servation corps or youth service corps that performs
5 service on Federal or other public lands or on Indian
6 lands or Hawaiian home lands), that—

7 “(A) undertakes meaningful service
8 projects with visible public benefits, including
9 natural resource, urban renovation, or human
10 services projects;

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

20 “(C) provides those participants who are
21 youths and young adults with—

22 “(i) crew-based, highly structured,
23 and adult-supervised work experience, life
24 skills, education, career guidance and

1 counseling, employment training, and sup-
2 port services; and

3 “(ii) the opportunity to develop citi-
4 zenship values and skills through service to
5 their community and the United States.

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

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

15 “(A) recruits individuals with special skills
16 or provides specialized preservice training to en-
17 able participants to be placed individually or in
18 teams in positions in which the participants can
19 meet such unmet needs; and

20 “(B) brings participants together for addi-
21 tional training and other activities designed to
22 foster civic responsibility, increase the skills of
23 participants, and improve the quality of the
24 service provided.

*it
appropriate*

1 “(5) An individualized placement program that
2 includes regular group activities, such as leadership
3 training and special service projects.

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

8 “(A) students who are attending an insti-
9 tution of higher education, including students
10 participating in a work-study program assisted
11 under part C of title IV of the Higher Edu-
12 cation Act of 1965 (42 U.S.C. 2751 et seq.);

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

14 “(C) teams composed of a combination of
15 such students and community residents.

16 “(7) A preprofessional training program in
17 which students enrolled in an institution of higher
18 education—

19 “(A) receive training in specified fields,
20 which may include classes containing service-
21 learning;

22 “(B) perform service related to such train-
23 ing outside the classroom during the school
24 term and during summer or other vacation peri-
25 ods; and

1 “(C) agree to provide service upon gradua-
2 tion to meet unmet human, educational, envi-
3 ronmental, or public safety needs related to
4 such training.

5 “(8) A professional corps program that recruits
6 and places qualified participants in positions—

7 “(A) as teachers, nurses and other health
8 care providers, police officers, ~~early childhood~~
9 development staff, engineers, or other profes-
10 sionals providing service to meet educational,
11 human, environmental, or public safety needs in
12 communities with an inadequate number of
13 such professionals;

14 “(B) that may include a salary in excess of
15 the maximum living allowance authorized in
16 subsection (a)(3) of section 140, as provided in
17 subsection (c) of such section; and

18 “(C) that are sponsored by public or pri-
19 vate nonprofit employers who agree to pay 100
20 percent of the salaries and benefits (other than
21 any national service educational award under
22 subtitle D) of the participants.

23 “(9) A program in which economically dis-
24 advantaged individuals who are between the ages of
25 16 and 24 years of age, inclusive, are provided with

1 opportunities to perform service that, while enabling
2 such individuals to obtain the education and employ-
3 ment skills necessary to achieve economic self-suffi-
4 ciency, will help their communities meet—

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

7 “(B) the need for community facilities in
8 low-income areas.

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

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

19 “(12) A program that is administered by a
20 combination of nonprofit organizations located in a
21 low-income area, provides a broad range of services
22 to residents of such area, is governed by a board
23 composed in significant part of low-income individ-
24 uals, and is intended to provide opportunities for in-
25 dividuals or teams of individuals to engage in com-

1 munity projects in such area that meet unaddressed
2 community and individual needs, including projects
3 that would—

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

9 “(B) be directed to other important
10 unaddressed needs in such area.

11 “(13) A community service program designed to
12 meet the needs of rural communities, using teams or
13 individual placements to address the development
14 needs of rural communities and to combat rural pov-
15 erty, including health care, education, and job train-
16 ing.

17 “(14) A program that seeks to eliminate hunger
18 in communities and rural areas through service in
19 projects—

20 “(A) involving food banks, food pantries,
21 and nonprofit organizations that provide food
22 during emergencies;

23 “(B) involving the gleaning of prepared
24 and unprepared food that would otherwise be
25 discarded as unusable so that the usable por-

1 tion of such food may be donated to food banks,
2 food pantries, and other nonprofit organiza-
3 tions;

4 “(C) seeking to address the long-term
5 causes of hunger through education and the de-
6 livery of appropriate services; or

7 “(D) providing training in basic health,
8 nutrition, and life skills necessary to alleviate
9 hunger in communities and rural areas.

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

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

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

24 “(2) CONSULTATION.—In establishing qualifica-
25 tion criteria under paragraph (1), the Corporation

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

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

12 “(4) ENCOURAGEMENT OF INTERGEN-
13 ERATIONAL COMPONENTS OF PROGRAMS.—The Cor-
14 poration shall encourage national service programs
15 eligible to receive assistance or approved national
16 service positions under this subtitle to establish, if
17 consistent with the purposes of the program, an
18 intergenerational component of the program that
19 combines students, out-of-school youths, and older
20 adults as participants to provide services to address
21 unmet human, educational, environmental, or public
22 safety needs.

23 “(c) NATIONAL SERVICE PRIORITIES.—

24 “(1) ESTABLISHMENT.—**[Note: Paragraph**
25 **(1) is from Senate version and contains**

1 **an amendment adding subparagraph (B)**
2 **that is not referred to in the drafting in-**
3 **structions]**

4 “(A) BY CORPORATION.—In order to con-
5 centrate national efforts on meeting certain
6 unmet human, educational, environmental, or
7 public safety needs and to achieve the other
8 purposes of this Act, the Corporation shall es-
9 tablish, and after reviewing the strategic plan
10 approved under section 192A(g)(1), periodically
11 alter priorities as appropriate regarding the
12 types of national service programs to be as-
13 sisted under subsection (b) or (d) of section 129
14 and the purposes for which such assistance may
15 be used.

16 “(B) BY STATES.—States shall establish,
17 and through the national service plan process
18 described in section 178(e)(1), periodically alter
19 priorities as appropriate regarding the national
20 service programs to be assisted under section
21 129(a)(1).

22 “(2) NOTICE TO APPLICANTS.—The Cor-
23 poration shall provide advance notice to potential ap-
24 plicants of any national service priorities to be in ef-

1 fect under this subsection for a fiscal year. The no-
2 tice shall specifically include—

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

5 “(B) a description of the national service
6 programs that are designated by the Cor-
7 poration under section 133(d)(2) as eligible for
8 priority consideration in the next competitive
9 distribution of assistance under section 121(a).

10 “(3) REGULATIONS.—The Corporation shall by
11 regulation establish procedures to ensure the equi-
12 table treatment of national service programs that—

13 “(A) receive funding under this subtitle for
14 multiple years; and

15 “(B) would be adversely affected by annual
16 revisions in such national service priorities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 “(B) where programs do not exist, or are
2 too limited to meet community needs, as of the
3 date on which the Corporation makes the grant
4 or enters into the contract;

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

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

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

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

14 “(b) TECHNICAL ASSISTANCE.—[Note: Rewrit-
15 ten to conform to drafting instructions]To the
16 extent appropriate and necessary, the Corporation shall
17 make technical assistance available to States, Indian
18 tribes, labor organizations, organizations operated by
19 young adults, organizations serving economically dis-
20 advantaged individuals, and other entities described in sec-
21 tion 121 that desire—

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

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

*MWJ:io
Porter
amendment*

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

2 “(a) SUPPORT FOR STATE COMMISSIONS.—

3 “(1) ASSISTANCE AUTHORIZED.—The Cor-
4 poration may make assistance available to assist a
5 State to establish or operate the State Commission
6 on National and Community Service required to be
7 established by the State under section 178.

8 “(2) AMOUNT OF ASSISTANCE.—The amount of
9 assistance that may be provided to a State Commis-
10 sion under this subsection, together with other Fed-
11 eral funds available to establish or operate the State
12 Commission, may not exceed—

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

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

25 “(b) DISASTER SERVICE.—The Corporation may un-
26 dertake activities, including activities carried out through

1 part A of title I of the Domestic Volunteer Service Act
2 of 1973, to involve in disaster relief efforts youth corps
3 programs described in section 122(a)(2) and other pro-
4 grams that receive assistance under the national service
5 laws.

6 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
7 PROGRAMS.—

8 “(1) ASSISTANCE AUTHORIZED.—The Cor-
9 poration may make challenge grants under this sub-
10 section to national service programs that receive as-
11 sistance under section 121.

12 “(2) SELECTION CRITERIA.—The Corporation
13 shall develop criteria for the selection of recipients of
14 challenge grants under this subsection, so as to
15 make the grants widely available to a variety of pro-
16 grams that—

17 “(A) are high-quality national service pro-
18 grams; and

19 “(B) are carried out by entities with dem-
20 onstrated experience in establishing and imple-
21 menting projects that provide benefits to par-
22 ticipants and communities.

23 “(3) AMOUNT OF ASSISTANCE.—A challenge
24 grant under this subsection may provide not more
25 than \$1 of assistance under this subsection for each

1 \$1 in cash raised by the national service program
2 from private sources in excess of amounts required
3 to be provided by the program to satisfy matching
4 funds requirements under section 121(e). The Cor-
5 poration shall establish a ceiling on the amount of
6 assistance that may be provided to a national service
7 program under this subsection.

8 **“PART II—APPLICATION AND APPROVAL**
9 **PROCESS**

10 **“SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-**
11 **TIONAL SERVICE POSITIONS BY COMPETI-**
12 **TIVE AND OTHER MEANS.**

13 “(a) ALLOTMENTS OF ASSISTANCE AND APPROVED
14 POSITIONS TO STATES AND INDIAN TRIBES.—

15 “(1) ALLOTMENT OF ASSISTANCE TO CERTAIN
16 STATES.—[**Note: Senate version of para-**
17 **graph (1) (printed here) contains several**
18 **additional subparagraphs not referred to**
19 **in side-by-side. Does the Senate recede to**
20 **these new provisions?]**

21 “(A) IN GENERAL.—Of the funds allocated
22 by the Corporation for provision of assistance
23 under subsections (a) and (b) of section 121 for
24 a fiscal year, the Corporation shall make a
25 grant under section 121(a) (and a cor-

1 responding allotment of approved national serv-
2 ice positions) to each of the several States, the
3 District of Columbia, and the Commonwealth of
4 Puerto Rico that has an application approved
5 by the Corporation under section 133.

6 “(B) ALLOTMENT AMOUNTS.—Except as
7 provided in subparagraph (C), the amount allot-
8 ted as a grant to each such State under this
9 paragraph for a fiscal year shall be equal to—

10 “(i) in the first fiscal year for which
11 funds are appropriated under section
12 501(a)(2), an amount that bears the same
13 ratio to 40 percent of the allocated funds
14 for such fiscal year;

15 “(ii) in the second such fiscal year, an
16 amount that bears the same ratio to 45
17 percent of the allocated funds for such fis-
18 cal year; and

19 “(iii) in the third such fiscal year, an
20 amount that bears the same ratio to 50
21 percent of the allocated funds for such fis-
22 cal year,

23 as the population of the State bears to the total
24 population of the several States, the District of

(H)
33 1/3

1 Columbia, and the Commonwealth of Puerto
2 Rico.

3 “(C) LIMITATION.—In no case shall any
4 State receive a grant under this paragraph for
5 a fiscal year in an amount that is less than $\frac{1}{2}$
6 of 1 percent of the allocated funds for the fiscal
7 year.

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

1 possession bears to the total population of such ter-
2 ritories and possessions.

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

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

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

24 “(B) after making grants under subpara-
25 graph (A), to make a reallocation to other

1 States and Indian tribes with approved applica-
2 tions under section 130.

3 ~~“(5) EFFECT OF STATE FAILURE TO LIMIT LI-
4 ABILITY.—[Note: No reference in drafting
5 instructions to this House provision]If, not
6 later than 2 years after the effective date of this
7 subtitle, a State fails to have in effect (and to certify
8 in its application that the State has in effect) a lim-
9 itation on liability that satisfies the requirements of
10 title V of the National Service Trust Act of 1993,
11 the allotment for such State shall be reduced by 5
12 percent, and the Corporation shall allot the amount
13 of the reduction among the States that have in ef-
14 fect (and so certify) such limitation.~~

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

1 approved national service positions to be available for dis-
2 tribution under subsections (a) and (d) for that fiscal year.

3 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—Sub-
4 ject to section 501(a)(2), of the funds allocated by the
5 Corporation for provision of assistance under subsections
6 (a) and (b) of section 121 for a fiscal year, the Cor-
7 poration may reserve such amount as the Corporation con-
8 siders to be appropriate for the purpose of making assist-
9 ance available under sections 125 and 126. The Cor-
10 poration may not reserve more than \$10,000,000 for a
11 fiscal year for challenge grants under section 126(c).

12 “(d) COMPETITIVE DISTRIBUTION OF REMAINING
13 FUNDS.—**[Note: Drafting instructions indicate**
14 **that paragraph (1) is identical in the two bills.**
15 **They are not.]**

16 “(1) STATE COMPETITION.—**[House Provi-**
17 **sion]** Of the funds allocated by the Corporation for
18 provision of assistance under subsections (a) and (b)
19 of section 121 for a fiscal year, the Corporation shall
20 use not less than 33⅓ percent of the allocated funds
21 to make grants to States on a competitive basis
22 under section 121(a).

23 ~~“(1) STATE COMPETITION.—**[Senate Provi-**~~
24 ~~**sion]** Of the funds allocated by the Corporation for~~
25 ~~provision of assistance under subsections (a) and (b)~~

1 of section 121 for a fiscal year, the Corporation shall
2 use not less than 30 percent of the allocated funds
3 in the first fiscal year for which funds are appro-
4 priated under section 501(a)(2), not less than 27½
5 percent of the allocated funds in the second such fis-
6 cal year, and not less than 25 percent of the allo-
7 cated funds in the third such fiscal year, to make
8 grants to States (through the State Commissions)
9 on a competitive basis under section 121(a).

10 “(2) FEDERAL AGENCIES AND OTHER APPLI-
11 CANTS.—The Corporation shall distribute on a com-
12 petitive basis to subdivisions of States, Indian tribes,
13 public or private nonprofit organizations (including
14 labor organizations), institutions of higher edu-
15 cation, and Federal agencies the remainder of the
16 funds allocated by the Corporation for provision of
17 assistance under section 121 for a fiscal year, after
18 operation of paragraph (1) and subsections (a) and
19 (c).

20 “(3) LIMITATION ON DISTRIBUTION TO FED-
21 ERAL AGENCIES.—The Corporation may not provide
22 more than ⅓ of the funds available for competitive
23 distribution under paragraph (2) for a fiscal year to
24 Federal agencies under section 121(b).

1 “(4) PRIORITY LIMITATIONS.—The Corporation
2 may limit the categories of eligible applicants for as-
3 sistance under paragraph (2) consistent with the pri-
4 orities established by the Corporation under section
5 133(d)(2).

6 “(5) RESERVATION.—**[Note: No reference**
7 **to this Senate provision (numbered as**
8 **paragraph (4) in Senate text) in the draft-**
9 **ing instructions.]**

10 “(A) SUPPLEMENTAL AND OTHER
11 GRANTS.—In distributing the funds allocated by
12 the Corporation for provision of assistance
13 under section 121 for a fiscal year, after oper-
14 ation of subsections (a) and (c), the Chief Exec-
15 utive Officer shall reserve, from the funds avail-
16 able to make grants under paragraphs (1) and
17 (2), an amount that is not less than ~~2~~¹ percent
18 ~~and not more than 5 percent~~ of such funds (ex-
19 cept that such amount may not exceed
20 ~~\$10,000,000~~^{\$,000,000}), in order to make supplemental
21 grants as provided in subparagraph (B) and
22 grants as provided in subparagraph (C).

23 “(B) GRANTS TO ASSIST ENTITIES IN
24 PLACING APPLICANTS WHO ARE INDIVIDUALS
25 WITH A DISABILITY.—

1 “(i) IN GENERAL.—The Chief Execu-
2 tive Officer shall make grants from a por-
3 tion of the funds reserved under subpara-
4 graph (A) to entities that—

5 “(I) receive a grant to carry out
6 a national service program under
7 paragraph (1) or (2);

8 “(II) demonstrate that the entity
9 has received a substantial number of
10 applications for placement in the na-
11 tional service program of persons who
12 are individuals with a disability, as
13 defined in section 3(2) of the Ameri-
14 cans with Disabilities Act of 1990,
15 and who require a reasonable accom-
16 modation, as defined in section 101(9)
17 of such Act or auxiliary aids and serv-
18 ices, as defined in section 3(1) of such
19 Act, in order to perform national serv-
20 ice; and

21 “(III) demonstrate that addi-
22 tional funding would assist the na-
23 tional service program in placing a
24 substantial number of such individuals
25 with a disability as participants in

1 projects carried out through the pro-
2 gram.

3 “(ii) REQUIREMENTS.—Funds made
4 available through such a supplemental
5 grant under clause (i) shall be made avail-
6 able for the same purposes, and subject to
7 the same requirements, as funds made
8 available through a grant made under
9 paragraph (1) or (2).

10 “(C) GRANTS FOR OUTREACH TO INDIVID-
11 UALS WITH A DISABILITY.—

12 “(i) IN GENERAL.—From the portion
13 of the funds reserved under subparagraph
14 (A) that is not used to make grants under
15 subparagraph (B), the Chief Executive Of-
16 ficer shall make grants to public or private
17 nonprofit organizations to pay for the Fed-
18 eral share described in section 121(e) of—

19 “(I) providing information about
20 the programs specified in section
21 193A(d)(10) to such individuals with
22 a disability who desire to perform na-
23 tional service; and

24 “(II) enabling the individuals to
25 participate in activities carried out

1 through such programs, which may
2 include assisting the placement of the
3 individuals in approved national serv-
4 ice positions.

5 “(ii) APPLICATION.—To be eligible to
6 receive a grant under this subparagraph,
7 an organization described in clause (i)
8 shall submit an application to the Chief
9 Executive Officer at such time, in such
10 manner, and containing such information
11 as the Chief Executive Officer may require.

12 “(e) APPLICATION REQUIRED.—The allotment of as-
13 sistance and approved national service positions to a State
14 or Indian tribe under subsection (a), and the competitive
15 distribution of assistance under subsection (d), shall be
16 made by the Corporation only pursuant to an application
17 submitted by a State or other applicant under section 130
18 and approved by the Corporation under section 133.

19 “(f) APPROVAL OF POSITIONS SUBJECT TO AVAIL-
20 ABLE FUNDS.—The Corporation may not approve posi-
21 tions as approved national service positions under this
22 subtitle for a fiscal year in excess of the number of such
23 positions for which the Corporation has sufficient available
24 funds in the National Service Trust for that fiscal year,
25 taking into consideration funding needs for national serv-

1 ice educational awards under subtitle D based on com-
2 pleted service. If appropriations are insufficient to provide
3 the maximum allowable national service educational
4 awards under subtitle D for all eligible participants, the
5 Corporation is authorized to make necessary and reason-
6 able adjustments to program rules.

7 “(g) SPONSORSHIP OF APPROVED NATIONAL SERV-
8 ICE POSITIONS.—

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

21 “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-
22 vided pursuant to an agreement under paragraph
23 (1) and any other funds contributed to the Cor-
24 poration to support the activities of the Corporation
25 under the national service laws shall be deposited in

1 the National Service Trust established in section
2 145 until such time as the funds are needed.

3 **"SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**
4 **NATIONAL SERVICE POSITIONS.**

5 "(a) TIME, MANNER, AND CONTENT OF APPLICA-
6 TION.—To be eligible to receive assistance under section
7 121 and approved national service positions for partici-
8 pants who serve in the national service programs to be
9 carried out using the assistance, a State, subdivision of
10 a State, Indian tribe, public or private nonprofit organiza-
11 tion, institution of higher education, or Federal agency
12 shall prepare and submit to the Corporation an application
13 at such time, in such manner, and containing such infor-
14 mation as the Corporation may reasonably require.

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15 "(b) TYPES OF PERMISSIBLE APPLICATION INFOR-
16 MATION.—In order to have adequate information upon
17 which to consider an application under section 133, the
18 Corporation may require the following information to be
19 provided in an application submitted under subsection (a):

20 "(1) A description of the national service pro-
21 grams proposed to be carried out directly by the ap-
22 plicant using assistance provided under section 121.

23 "(2) A description of the national service pro-
24 grams that are selected by the applicant to receive
25 a grant from assistance requested under section 121

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1 and a description of the process and criteria by
2 which the programs were selected.

3 “(3) A description of other funding sources to
4 be used, or sought to be used, for the national serv-
5 ice programs referred to in paragraphs (1) and (2),
6 and, if the application is submitted for the purpose
7 of seeking a renewal of assistance, a description of
8 the success of the programs in reducing their reli-
9 ance on Federal funds.

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

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

20 “(6) A description of the manner in which the
21 national service programs referred to in paragraphs
22 (1) and (2) build on existing programs, including
23 Federal programs.

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

4 “(A) in projects that build an ethic of civic
5 responsibility and produce a positive change in
6 the lives of participants through training and
7 participation in meaningful service experiences
8 and opportunities for reflection on such experi-
9 ences; and

10 “(B) in leadership positions in implement-
11 ing and evaluating the program.

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

15 “(A) the impact to be made in meeting
16 unmet human, educational, environmental, or
17 public safety needs; and

18 “(B) the service experience to be provided
19 to participants in the programs.

20 “(9) A description of the manner and extent to
21 which the national service programs referred to in
22 paragraphs (1) and (2) conform to the national serv-
23 ice priorities established by the Corporation under
24 section 122(c).

1 “(10) A description of the past experience of
2 the applicant in operating a comparable program or
3 in conducting a grant program in support of other
4 comparable service programs.

5 “(11) A description of the type and number of
6 proposed service positions in which participants will
7 receive the national service educational award de-
8 scribed in subtitle D and a description of the man-
9 ner in which approved national service positions will
10 be apportioned by the applicant.

11 “(12) A description of the manner and extent
12 to which participants, representatives of the commu-
13 nity served, community-based agencies with a dem-
14 onstrated record of experience in providing services,
15 and labor organizations contributed to the develop-
16 ment of the national service programs referred to in
17 paragraphs (1) and (2), including the identity of the
18 individual representing each appropriate labor orga-
19 nization (if any) who was consulted and the nature
20 of the consultation.

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

23 “(c) REQUIRED APPLICATION INFORMATION.—An
24 application submitted under subsection (a) shall contain
25 the following information:

1 “(1) A description of the jobs or positions into
2 which participants will be placed using the assist-
3 ance provided under section 121, including descrip-
4 tions of specific tasks to be performed by such par-
5 ticipants.

6 “(2) A description of the minimum qualifica-
7 tions that individuals shall meet to become partici-
8 pants in such programs.

9 “(d) APPLICATION TO RECEIVE ONLY APPROVED
10 NATIONAL SERVICE POSITIONS.—

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

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

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

1 “(2) SPECIAL APPLICATION REQUIREMENTS.—

2 For the applications described in paragraph (1), the
3 Corporation shall establish special application re-
4 quirements in order to determine—

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

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

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

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

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

1 State shall seek to ensure the equitable allocation
2 within the State of assistance and approved national
3 service positions provided under this subtitle to the
4 State taking into consideration such factors as the
5 location of the programs applying to the State, pop-
6 ulation density, and economic distress.

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

17 “(f) SPECIAL RULE FOR CERTAIN APPLICANTS.—

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

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

4 “(A) a State, subdivision of a State, Indian
5 tribe, public or private nonprofit organization,
6 institution of higher education, or Federal
7 agency submitting an application under this
8 section; or

9 “(B) an entity applying for assistance or
10 approved national service positions through a
11 grant program conducted using assistance pro-
12 vided to a State, subdivision of a State, Indian
13 tribe, public or private nonprofit organization,
14 institution of higher education, or Federal
15 agency under section 121.

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

22 **“SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE**
23 **REQUIREMENTS.**

24 “(a) IMPACT ON COMMUNITIES.—[Note: Page
25 missing in drafting instructions relating to

1 **this subsection. I used House provision.]** An ap-
2 plication submitted under section 130 shall include an as-
3 surance by the applicant that any national service pro-
4 gram carried out by the applicant using assistance pro-
5 vided under section 121 and any national service program
6 supported by a grant made by the applicant using such
7 assistance will—

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

12 “(2) comply with the nonduplication and
13 nondisplacement requirements of section 177.

14 “(b) IMPACT ON PARTICIPANTS.—**[Note: Page**
15 **missing in drafting instructions relating to**
16 **this subsection. I used House provision.]**An ap-
17 plication submitted under section 130 shall also include
18 an assurance by the applicant that any national service
19 program carried out by the applicant using assistance pro-
20 vided under section 121 and any national service program
21 supported by a grant made by the applicant using such
22 assistance will—

23 “(1) provide participants in the national service
24 program with the training, skills, and knowledge

1 necessary for the projects that participants are
2 called upon to perform; and

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

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

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

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

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

21 “(A) the community served and potential
22 participants in the program; and

23 “(B) community-based agencies with a
24 demonstrated record of experience in providing
25 services and local labor organizations rep-

1 resenting employees of service sponsors, if these
2 entities exist in the area to be served by the
3 program;

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

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

15 “(d) EVALUATION AND PERFORMANCE GOALS.—

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

19 “(A) arrange for an independent evalua-
20 tion of any national service program carried out
21 using assistance provided to the applicant under
22 section 121 or, with the approval of the Cor-
23 poration, conduct an internal evaluation of the
24 program;

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

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

9 “(ii) on participants who take part in
10 the projects; and

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

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

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

20 “(3) ALTERNATIVE EVALUATION REQUIRE-
21 MENTS.—The Corporation may establish alternative
22 evaluation requirements for national service pro-
23 grams based upon the amount of assistance received
24 under section 121 or received by a grant made by
25 a recipient of assistance under such section. The de-

1 termination of whether a national service program is
2 covered by this paragraph shall be made in such
3 manner as the Corporation may prescribe.

4 “(e) LIVING ALLOWANCES AND OTHER INSERVICE
5 BENEFITS.—Except as provided in section 140(c), an ap-
6 plication submitted under section 130 shall also include
7 an assurance by the applicant that the applicant will—

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

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

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

1 among prospective participants recruited by the Cor-
2 poration or State Commissions under section 138(d). The
3 Corporation may specify a minimum percentage of partici-
4 pants to be selected from the national leadership pool es-
5 tablished under section 138(e) and may vary the percent-
6 age for different types of national service programs.

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

8 “(a) IN GENERAL.—Except as provided in sub-
9 sections (b) and (c), an application submitted to the Cor-
10 poration under section 130 shall include an assurance by
11 the applicant that any national service program carried
12 out using assistance provided under section 121 and any
13 approved national service position provided to an applicant
14 will not be used to perform service that provides a direct
15 benefit to any—

16 “(1) business organized for profit;

17 “(2) labor union;

18 “(3) partisan political organization;

19 “(4) organization engaged in religious activities,
20 unless such service does not involve the use of assist-
21 ance provided under section 121 or participants—

22 “(A) to give religious instruction;

23 “(B) to conduct worship services;

1 “(C) to provide instruction as part of a
 2 program that includes mandatory religious edu-
 3 cation or worship;

4 “(D) to construct or operate ^{or maintain} facilities de-
 5 voted ^{primarily} to religious instruction or worship; or

6 “(E) to engage in any form of proselytiza-
 7 tion; or

8 “(5) **[Note: This provision in Senate**
 9 **version is not referred to in the drafting**
 10 **instructions]** organization that expends more
 11 than 20 percent of the annual budget of the organi-
 12 zation, or whose primary purpose is, to influence
 13 public policy or engage in legislative advocacy activi-
 14 ties, *however*

15 “(b) ~~ADVOCACY ACTIVITIES.~~ **[Note: Sub-**
 16 **sections (b), (c), and (d) of the Senate version**
 17 **are not referred to in the drafting instruc-**
 18 **tions]** Nothing in this section shall be construed to pre-
 19 vent participants from engaging in advocacy activities un-
 20 dertaken at their own initiative.

21 “(c) REGIONAL CORPORATION.—The requirement of
 22 subsection (a) relating to an assurance regarding direct
 23 benefits to businesses organized for profit shall not apply
 24 with respect to a Regional Corporation, as defined in sec-
 25 tion 3(g) of the Alaska Native Claims Settlement Act (43

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1 U.S.C. 1602(g)), that is established in accordance with
2 such Act as a for-profit corporation but that is engaging
3 in nonprofit activities.

4 “(d) PROHIBITION ON CERTAIN POLITICAL ACTIVI-
5 TIES.—

6 “(1) IN GENERAL.—Except as provided in sub-
7 section (b) and paragraph (2), an application sub-
8 mitted to the Corporation under section 130 shall
9 include an assurance by the applicant that any na-
10 tional service program carried out using assistance
11 provided under section 121 and any approved na-
12 tional service position provided to an applicant will
13 not be used to—

14 “(A) provide political seminars, training,
15 instruction, lectures, classes, or speeches; or

16 “(B) assist political organizations, partisan
17 organizations, or political appointees.

18 “(2) POLITICAL APPOINTEES.—The require-
19 ment of paragraph (1) relating to an assurance re-
20 garding speeches shall not apply to political ap-
21 pointees who are responsible for the administration
22 of a national service program.

23 “(3) ENFORCEMENT.—If the Corporation deter-
24 mines that a national service program has failed to

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1 comply with the assurances provided under para-
2 graph (1), the Corporation shall—

3 “(A) prohibit the program from recruiting
4 or selecting individuals to participate in the
5 program during the 2-year period beginning on
6 the date the Corporation determines the non-
7 compliance commenced; and

8 “(B) direct the program to terminate the
9 employment of the supervisors determined to be
10 involved in the noncompliance.

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

12 “(a) CORPORATION CONSIDERATION OF CERTAIN
13 CRITERIA.—The Corporation shall apply the criteria de-
14 scribed in subsections (c) and (d) in determining
15 whether—

16 “(1) to approve an application submitted under
17 section 130 and provide assistance under section
18 121 to the applicant; and

19 “(2) to approve service positions described in
20 the application as national service positions that in-
21 clude the national service educational award de-
22 scribed in subtitle D and provide such approved na-
23 tional service positions to the applicant.

24 “(b) APPLICATION TO SUBGRANTS.—

1 “(1) IN GENERAL.—A State or other entity
2 that uses assistance provided under section 121(a)
3 to support national service programs selected on a
4 competitive basis to receive a share of the assistance
5 shall use the criteria described in subsections (c) and
6 (d) when considering an application submitted by a
7 national service program to receive a portion of such
8 assistance or an approved national service position.

9 “(2) CONTENTS.—The application of the State
10 or other entity under section 130 shall contain—

11 “(A) a certification that the State or other
12 entity complied with these criteria in the selec-
13 tion of national service programs to receive as-
14 sistance;

15 “(B) a description of the jobs or positions
16 into which participants will be placed using
17 such assistance, including descriptions of spe-
18 cific tasks to be performed by such participants;
19 and

20 “(C) a description of the minimum quali-
21 fications that individuals shall meet to become
22 participants in such programs.

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

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

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

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

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

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

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

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

23 “(6) **[Note: Please double check this**
24 **list to ensure compliance with drafting**
25 **instructions]**The extent to which projects would

1 be conducted in the following areas where they are
2 needed most:

3 “(A) Communities designated as ~~enterprise~~ *empowerment*
4 zones or redevelopment areas, targeted for spe-
5 cial economic incentives, or otherwise identifi-
6 able as having high concentrations of low-
7 income people.

8 “(B) Areas that are environmentally dis-
9 tressed.

10 “(C) Areas adversely affected by Federal
11 actions related to the management of Federal
12 lands that result in significant regional job
13 losses and economic dislocation.

14 “(D) Areas adversely affected by reduc-
15 tions in defense spending or the closure or re-
16 alignment of military installations.

17 “(E) Areas that have an unemployment
18 rate greater than the national average unem-
19 ployment for the most recent 12 months for
20 which satisfactory data are available.

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

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

3 “(d) OTHER CONSIDERATIONS.—

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

10 “(2) PRIORITIES.—The Corporation may des-
11 ignate, under such criteria as may be established by
12 the Corporation, certain national service programs
13 or types of national service programs described in
14 section 122(a) for priority consideration in the com-
15 petitive distribution of funds under section
16 129(d)(2). In designating national service programs
17 to receive priority, the Corporation may include—

18 “(A) national service programs carried out
19 by another Federal agency;

20 “(B) national service programs that con-
21 form to the national service priorities in effect
22 under section 122(c);

23 “(C) innovative national service programs;

24 “(D) national service programs that are
25 well established in one or more States at the

1 time of the application and are proposed to be
2 expanded to additional States using assistance
3 provided under section 121;

4 “(E) grant programs in support of other
5 national service programs if the grant programs
6 are to be conducted by nonprofit organizations
7 with a demonstrated and extensive expertise in
8 the provision of services to meet human, edu-
9 cational, environmental, or public safety needs;

10 “(F) professional corps programs described
11 in section 122(a)(8); and

12 “(G) programs that—

13 “(i) received funding under subtitle D
14 of this Act, as in effect on the day before
15 the date of enactment of this subtitle;

16 “(ii) the Corporation determines to
17 meet the requirements of sections 142
18 (other than subsection (g)), 143, and 148
19 through 150 of this Act, as in effect on
20 such day, in addition to the requirements
21 of this subtitle; and

22 “(iii) include an evaluation compo-
23 nent.

24 “(3) ADDITIONAL PRIORITY.—In making a
25 competitive distribution of funds under section

1 129(d)(2), the Corporation may give priority consid-
2 eration to a national service program that is—

3 “(A) proposed in an application submitted
4 by a State Commission; and

5 “(B) not one of the types of programs de-
6 scribed in paragraph (2),

7 if the State Commission provides an adequate expla-
8 nation of the reasons why it should not be a priority
9 of such State to carry out any of such types of pro-
10 grams in the State.

11 “(4) REVIEW PANEL.—The Corporation shall—

12 “(A) establish panels of experts for the
13 purpose of securing recommendations on appli-
14 cations submitted under section 130 for more
15 than \$250,000 in assistance, or for national
16 service positions that would require more than
17 \$250,000 in national service educational
18 awards; and

19 “(B) consider the opinions of such panels
20 prior to making such determinations.

21 “(e) EMPHASIS ON AREAS MOST IN NEED.—In mak-
22 ing assistance available under section 121 and in providing
23 approved national service positions under section 123, the
24 Corporation shall ensure that not less than 50 percent of
25 the total amount of assistance to be distributed to States

1 under subsections (a) and (d)(1) of section 129 for a fiscal
2 year is provided to carry out or support national service
3 programs and projects that—

4 “(1) are conducted in areas described in any of
5 subparagraphs (A) through (D) **[Note: do you**
6 **mean to exclude subparagraph (E) of**
7 **paragraph (6)]** of subsection (c)(6) or on Federal
8 or other public lands, to address unmet human, edu-
9 cational, environmental, or public safety needs in
10 such areas or on such lands; and

11 “(2) place a priority on the recruitment of par-
12 ticipants who are residents of areas described in any
13 of subparagraphs (A) through (D) **[Note: do you**
14 **mean to exclude subparagraph (E) of**
15 **paragraph (6)]** of subsection (c)(6) or Federal or
16 other public lands.

17 “(f) REJECTION OF STATE APPLICATIONS.—

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

24 “(2) RESUBMISSION AND RECONSIDERATION.—
25 The Corporation shall provide a State Commission

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

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

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

**[Note: Drafting instructions require re-
moval of this House section, but reference is
made to “combining demographic and par-
ticipation of economically disadvantaged as
part of Durenberger Report.” What does this
mean?]**

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

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

18 “(a) IN GENERAL.—For purposes of this subtitle, an
19 individual shall be considered to be a participant in a na-

1 tional service program carried out using assistance pro-
2 vided under section 121 if the individual—

3 “(1) meets such eligibility requirements, di-
4 rectly related to the tasks to be accomplished, as
5 may be established by the program;

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

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

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

14 “(5) has received a high school diploma or its
15 equivalent, agrees to obtain a high school diploma or
16 its equivalent (unless this requirement is waived
17 based on an individual education assessment con-
18 ducted by the program) and the individual did not
19 drop out of an elementary or secondary school to en-
20 roll in the program, or is enrolled in an institution
21 of higher education on an ability to benefit basis and
22 is considered eligible for funds under section 484 of
23 the Higher Education Act of 1965 (20 U.S.C.
24 1091); and

1 “(6) is a citizen or national of the United
2 States or lawful permanent resident alien of the
3 United States.

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

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

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

16 “(c) WAIVER.—The Corporation may waive the re-
17 quirements of subsection (a)(5)(A) with respect to an indi-
18 vidual if the program in which the individual seeks to be-
19 come a participant conducts an independent evaluation
20 demonstrating that the individual is incapable of obtaining
21 a high school diploma or its equivalent.

22 **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-**
23 **PANTS.**

24 “(a) SELECTION PROCESS.—Subject to subsections
25 (b) and (c) and section 131(f), the actual recruitment and

1 selection of an individual to serve in a national service pro-
2 gram receiving assistance under section 121 or to fill an
3 approved national service position shall be conducted by
4 the State, subdivision of a State, Indian tribe, public or
5 private nonprofit organization, institution of higher edu-
6 cation, Federal agency, or other entity to which the assist-
7 ance and approved national service positions are provided.

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

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

18 “(d) RECRUITMENT AND PLACEMENT.—The Cor-
19 poration and each State Commission shall establish a sys-
20 tem to recruit individuals who desire to perform national
21 service and to assist the placement of these individuals in
22 approved national service positions, which may include po-
23 sitions available under titles I and II of the Domestic Vol-
24 unteer Service Act of 1973 (42 U.S.C. 4951 et seq.). The
25 Corporation and State Commissions shall disseminate in-

1 formation regarding available approved national service
2 positions through cooperation with secondary schools, in-
3 stitutions of higher education, employment service offices,
4 State vocational rehabilitation agencies within the mean-
5 ing of the Rehabilitation Act of 1973 and other State
6 agencies that primarily serve individuals with disabilities,
7 and other appropriate entities, particularly those organiza-
8 tions that provide outreach to disadvantaged youths and
9 youths with disabilities.

10 “(e) NATIONAL LEADERSHIP POOL.—

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

19 “(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In
20 selecting individuals to receive leadership training
21 under this subsection, the Corporation shall make
22 special efforts to select individuals who have
23 served—

24 “(A) in the Peace Corps;

25 “(B) as VISTA volunteers;

1 “(C) as participants in national service
2 programs receiving assistance under section
3 121;

4 “(D) as participants in programs receiving
5 assistance under subtitle D of the National and
6 Community Service Act of 1990, as in effect on
7 the day before the date of enactment of this
8 subtitle; or

9 “(E) as members of the Armed Forces of
10 the United States and were honorably dis-
11 charged from such service.

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

21 “(f) EVALUATION OF SERVICE.—The Corporation
22 shall issue regulations regarding the manner and criteria
23 by which the service of a participant shall be evaluated
24 to determine whether the service is satisfactory and suc-

1 cessful for purposes of eligibility for a second term of serv-
 2 ice or a national service educational award.

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

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

9 “(b) TERM OF SERVICE.—

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

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

22 “(A) not less than 1 year and not more ^{max than 2 yrs or 3 yrs if}
 23 than 2 years; or ^{in school}

24 “(B) not less than 1 year and not more
 25 than 3 years if the individual is enrolled in an

*McLachlin
 amendment
 o*

1 institute of higher education while performing
2 all or a portion of the service.

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

12 “(c) RELEASE FROM COMPLETING TERM OF SERVICE.—
13 ICE.—

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

19 “(A) for compelling personal circumstances
20 as demonstrated by the participant; or

21 “(B) for cause.

22 “(2) EFFECT OF RELEASE FOR COMPELLING
23 CIRCUMSTANCES.—If a participant eligible for release
24 under paragraph (1)(A) is serving in an approved
25 national service position, the recipient of as-

1 sistance under section 121 or a program sponsoring
2 an approved national service position may elect—

3 “(A) to grant such release and provide to
4 the participant that portion of the national
5 service educational award corresponding to the
6 portion of the term of service actually com-
7 pleted, as provided in section 147(b); or

8 “(B) to permit the participant to tempo-
9 rarily suspend performance of the term of serv-
10 ice for a period of up to 2 years (and such addi-
11 tional period as the Corporation may allow for
12 extenuating circumstances) and, upon comple-
13 tion of such period, to allow return to the pro-
14 gram with which the individual was serving in
15 order to complete the remainder of the term of
16 service and obtain the entire national service
17 educational award.

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

21 **“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**
22 **PARTICIPANTS.**

23 “(a) PROVISION OF LIVING ALLOWANCE.—

24 “(1) LIVING ALLOWANCE REQUIRED.—Subject
25 to paragraph (3), a national service program carried

1 out using assistance provided under section 121
2 shall provide to each participant who participates on
3 a full-time basis in the program a living allowance
4 in an amount equal or greater than the average an-
5 nual subsistence allowance provided to VISTA vol-
6 unteers under section 105 of the Domestic Volunteer
7 Service Act of 1973 (42 U.S.C. 4955).

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

16 “(3) MAXIMUM LIVING ALLOWANCE.—Except
17 as provided in subsection (c), the total amount of an
18 annual living allowance that may be provided to a
19 participant in a national service program shall not
20 exceed 200 percent of the average annual subsist-
21 ence allowance provided to VISTA volunteers under
22 section 105 of the Domestic Volunteer Service Act
23 of 1973 (42 U.S.C. 4955).

24 “(4) PRORATION OF LIVING ALLOWANCE.—The
25 amount provided as a living allowance under this

1 subsection shall be prorated in the case of a partici-
2 pant who is authorized to serve a reduced term of
3 service under section 139(b)(3).

4 “(5) WAIVER OR REDUCTION OF LIVING AL-
5 LOWANCE.—The Corporation may waive or reduce
6 the requirement of paragraph (1) with respect to
7 such national service program if such program dem-
8 onstrates that—

9 “(A) such requirement is inconsistent with
10 the objectives of the program; and

11 “(B) the amount of the living allowance
12 that will be provided to each full-time partici-
13 pant is sufficient to meet the necessary costs of
14 living (including food, housing, and transpor-
15 tation) in the area in which the program is lo-
16 cated.

17 “(6) EXEMPTION.—The requirement of para-
18 graph (1) shall not apply to any program which was
19 in existence on the date of enactment of the Na-
20 tional Service Trust Act of 1993.

21 “(7) EVALUATION OF LIVING ALLOWANCE.—
22 **[Note: This is to go into the Durenberger**
23 **report]**Not later than 2 years after the effective
24 date of this subsection, the Corporation shall ar-
25 range for an independent evaluation to determine

fixed

1 the levels of living allowances paid in all programs
2 under this subtitle, individually, by State, and by re-
3 gion. Such evaluation shall determine the effects
4 that such living allowances have had on the ability
5 of individuals to participate in such programs.

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

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

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

23 “(c) EXCEPTION FROM MAXIMUM LIVING ALLOW-
24 ANCE FOR CERTAIN ASSISTANCE.—A professional corps
25 program described in section 122(a)(8) that desires to

1 provide a living allowance in excess of the maximum allow-
2 ance authorized in subsection (a)(3) may still apply for
3 such assistance, except that—

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

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

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

14 “(d) HEALTH INSURANCE.—

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

1 ify for payment under this part, any circumstances
2 in which an alternative health care policy may be
3 substituted for the basic health care policy, and
4 mechanisms to prohibit participants from dropping
5 existing coverage.

6 “(2) OPTION.—A State or other recipient of as-
7 sistance under section 121 may elect to provide from
8 its own funds a health care policy for participants
9 that does not meet all of the standards established
10 by the Corporation if the fair market value of such
11 policy is equal to or greater than the fair market
12 value of a plan that meets the minimum standards
13 established by the Corporation.

14 “(e) CHILD CARE.—

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

17 “(A) make child care available for children
18 of each full-time participant who needs child
19 care in order to participate in a national service
20 program carried out or supported by the recipi-
21 ent using the assistance; or

22 “(B) provide a child care allowance to each
23 full-time participant in a national service pro-
24 gram who needs such assistance in order to
25 participate in the program.

1 “(2) GUIDELINES.—The Corporation shall es-
2 ablish guidelines regarding the circumstances under
3 which child care shall be made available under this
4 subsection and the value of any allowance to be pro-
5 vided.

6 “(f) INDIVIDUALIZED SUPPORT SERVICES.—A State
7 or other recipient of assistance under section 121 shall
8 provide auxiliary aids and services based on the individual-
9 ized need of a participant who is a qualified individual
10 with a disability.

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

18 **“SEC. 141. NATIONAL SERVICE EDUCATIONAL AWARDS.**

19 “(a) ELIGIBILITY GENERALLY.—A participant in a
20 national service program carried out using assistance pro-
21 vided to an applicant under section 121 shall be eligible
22 for the national service educational award described in
23 subtitle D if the participant—

24 “(1) serves in an approved national service po-
25 sition; and

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

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

10 (c) TABLE OF CONTENTS.—Section 1(b) of the Na-
 11 tional and Community Service Act of 1990 (Public Law
 12 101–610; 104 Stat. 3127) is amended—

13 (1) by striking the items relating to subtitle C
 14 of title I of such Act and inserting the following new
 15 items:

“Subtitle C—National Service Trust Program

“PART I—INVESTMENT IN NATIONAL SERVICE

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

“Sec. 122. Types of national service programs eligible for program assistance.

“Sec. 123. Types of national service positions eligible for approval for national
 service educational awards.

“Sec. 124. Types of program assistance.

“Sec. 125. Training and technical assistance.

“Sec. 126. Other special assistance.

“PART II—APPLICATION AND APPROVAL PROCESS

“Sec. 129. Provision of assistance and approved national service positions by
 competitive and other means.

“Sec. 130. Application for assistance and approved national service positions.

“Sec. 131. National service program assistance requirements.

“Sec. 132. Ineligible service categories.

“Sec. 133. Consideration of applications.

“PART III—NATIONAL SERVICE PARTICIPANTS

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

1 and

2 (2) by inserting after the item relating to sec-
 3 tion 195O the following new items:

"Subtitle I—American Conservation and Youth Corps

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

4 (d) LIVING ALLOWANCE UNDER SUBTITLE I.—Sec-
 5 tion 199M(a) of the National and Community Service Act
 6 of 1990 (former section 133(a) of such Act as redesign-
 7 nated in subsection (a)(3) of this section) (42 U.S.C.
 8 12553(a)) is amended by striking paragraphs (1) and (2)
 9 and inserting the following new paragraphs:

10 "(1) LIVING ALLOWANCE REQUIRED.—Subject
 11 to paragraph (3), each participant in a full-time
 12 youth corps program that receives assistance under
 13 this subtitle shall receive a living allowance in an
 14 amount equal or greater than the average annual

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

4 “(2) LIMITATION ON FEDERAL SHARE.—The
5 amount of the annual living allowance provided
6 under paragraph (1) that may be paid using assist-
7 ance provided under this subtitle, section 121, and
8 any other Federal funds shall not exceed 85 percent
9 of the total average annual subsistence allowance
10 provided to VISTA volunteers under section 105 of
11 the Domestic Volunteer Service Act of 1973 (42
12 U.S.C. 4955).

13 “(3) MAXIMUM LIVING ALLOWANCE.—The total
14 amount of an annual living allowance that may be
15 provided to a participant in a full-time youth corps
16 program that receives assistance under this subtitle
17 shall not exceed 200 percent of the average annual
18 subsistence allowance provided to VISTA volunteers
19 under section 105 of the Domestic Volunteer Service
20 Act of 1973 (42 U.S.C. 4955).

21 “(4) WAIVER OR REDUCTION OF LIVING AL-
22 LOWANCE.—The Corporation may waive or reduce
23 the requirement of paragraph (1) with respect to
24 such national service program if such program dem-
25 onstrates that—

1 “(A) such requirement is inconsistent with
2 the objectives of the program; and

3 “(B) the amount of the living allowance
4 that will be provided to each full-time partici-
5 pant is sufficient to meet the necessary costs of
6 living (including food, housing, and transpor-
7 tation) in the area in which the program is lo-
8 cated.

9 “(5) EXEMPTION.—The requirement of para-
10 graph (1) shall not apply to any program which was
11 in existence on the date of enactment of the Na-
12 tional Service Trust Act of 1993.

13 “(6) EVALUATION OF LIVING ALLOWANCE.—
14 **[Again: This is to go in the Durenberger**
15 **evaluation]**Not later than 2 years after the effec-
16 tive date of this subsection, the Corporation shall ar-
17 range for an independent evaluation to determine
18 the levels of living allowances paid in all programs
19 under this subtitle, individually, by State, and by re-
20 gion. Such evaluation shall determine the effects
21 that such living allowances have had on the ability
22 of individuals to participate in such programs.”.

23 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

24 (1) REFERENCES.—Subtitle I of title I of the
25 National and Community Service Act of 1990 (as so

fixed

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

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

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

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

14 (3) ALLOCATION.—Section 199B of such Act
15 (as redesignated in subsection (a)(3) of this section)
16 (42 U.S.C. 12542) is amended by striking “section
17 123” each place it appears and inserting “section
18 199C”.

19 (4) STATE APPLICATION.—Section 199C(a) of
20 such Act (as redesignated in subsection (a)(3) of
21 this section) (42 U.S.C. 12543(a)) is amended by
22 striking “section 122(b)” and inserting “section
23 199B(b)”.

24 (5) PUBLIC LANDS.—Section 199F(b) of such
25 Act (as redesignated in subsection (a)(3) of this sec-

1 tion) (42 U.S.C. 12546(b)) is amended by striking
2 “section 123” and inserting “section 199C”.

3 (6) PREFERENCE.—Section 199I(a) of such Act
4 (as redesignated in subsection (a)(3) of this section)
5 (42 U.S.C. 12549) is amended by striking “section
6 123” and inserting “section 199C”.