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H.R. 2010 PROVISION	S. 919 PROVISION	EXPLANATION/RECOMMENDATION
(b) TECHNICAL AND CONFORMING AMENDMENTS.-- (1) Section 182(a)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12642(a)(2)) is amended by striking "adult volunteer and partnership" each place the term appears and inserting "partnership." (2) Section 182(a)(3) of the National and Community Service Act of 1990 (42 U.S.C. 12642(a)(3)) is amended by striking "adult volunteer and partnership" and inserting "partnership." (3) Section 441 (c)(2) of the Higher Education Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by striking "service opportunities or youth corps as defined in section 101 of the National and Community Service Act of 1990 and service in the agencies, institutions and activities designated in section 124(a) of the National and Community Service Act of 1990" and inserting "a project as defined in section 101(19) of the National and Community Service Act of 1990 (42 U.S.C. 12511(18))." (4) Section 1122(a)(2)(C) of the Higher Education Act of 1965 (20 U.S.C. 1137(a)(2)(C)) is amended by striking "youth corps as defined in section 101(30) of the National and Community Service Act of 1990" and inserting "youth corps programs, as described in section 122(a)(1) of the National and Community Service Act of 1990." (5) Section 120(p) of the Higher Education Act of 1965 (20 U.S.C. 1141(p)) is amended by striking "section 101(22) of the National and Community Service Act of 1990" and inserting "section 101(22) of the National and Community Service Act of 1990 (42 U.S.C. 12511(21))."	(b) TECHNICAL AND CONFORMING AMENDMENTS.-- (1) Section 182(a)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12642(a)(2)) is amended by striking "adult volunteer and partnership" each place the term appears and inserting "partnership". (2) Section 182(a)(3) of the National and Community Service Act of 1990 (42 U.S.C. 12642(a)(3)) is amended by striking "adult volunteer and partnership" and inserting "partnership." (3) Section 441(c)(2) of the Higher Education Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by striking "service opportunities or youth corps as defined in section 101 of the National and Community Service Act of 1990, and service in the agencies, institutions and activities designated in section 124(a) of the National and Community Service Act of 1990" and inserting "a project, as defined in section 101(21) of the National and Community Service Act of 1990 (42 U.S.C. 12511(18))." (4) Section 1122(a)(2)(C) of the Higher Education Act of 1965 (20 U.S.C. 1137(a)(2)(C)) is amended by striking "youth corps as defined in section 101(30) of the National and Community Service Act of 1990" and inserting "youth corps programs, as described in section 122(a)(1) of the National and Community Service Act of 1990." (5) Section 1201(p) of the Higher Education Act of 1965 (20 U.S.C. 1141(p)) is amended by striking "section 101(22) of the National and Community Service Act of 1990" and inserting "section 101(24) of the National and Community Service Act of 1990 (42 U.S.C. 12511(21))."	Various technical and conforming amendments./Identical language except for difference in section reference under item (3)./

H.R. 2010 PROVISION	S. 919 PROVISION	EXPLANATION/RECOMMENDATION
Sec 112. AUTHORITY TO MAKE STATE GRANTS. Section 102 of the National and Community Service Act of 1990 (42 U.S.C. 12412) is repealed.	SEC.112. AUTHORITY TO MAKE STATE GRANTS. Section 102 of the National and Community Service Act of 1990 (42 U.S.C. 12512) is repealed.	Repeals Section 102 of the National and Community Service Act./Identical language.

H.R. 2010 PROVISION	S. 919 PROVISION	EXPLANATION/RECOMMENDATION
SEC.113. FAMILY AND MEDICAL LEAVE. (a) IN GENERAL.-- Section 171 of the National and Community Service Act of 1990 (42 U.S.C. 12631) is amended to read as follows: SEC.171. FAMILY AND MEDICAL LEAVE. (a) PARTICIPANTS IN PRIVATE, STATE, AND LOCAL PROJECTS.-- For purposes of title I of the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) if-- "(1) a participant has provided service for the period required by section 101(2)(A)(i) (29 U.S.C. 2611(2)(A)(i), and has met the hours of service requirement of section 101(2)(A)(i) of such Act with respect to a project; and "(2) the service sponsor of the project is an employer described in section 101(4) of such Act (other than an employing agency within the meaning of sub-chapter V of chapter 63 title 5, United States Code), the participant shall be considered to be an eligible employee of the service sponsor. (b) PARTICIPANTS IN FEDERAL PROJECTS.-- For purposes of subchapter V of chapter 63 of title 5 United States Code, if-- "(1) a participant has provided service for the period required by section 6381 (1)(B) of such title with respect to a project; and "(2) the service sponsor of the project is an employing agency within the meaning of such subchapter, the participant shall be considered to be an employee of the service sponsor.' (b) TABLE OF CONTENTS.-- Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat 3127) is amended by striking the item relating to section 171 of such Act and inserting the following: (Sec.171. Family and medical leave.	SEC.113. FAMILY AND MEDICAL LEAVE. (a) IN GENERAL.--Section 171 of the National and Community Service Act of 1990 (42 U.S.C. 12631) is amended to read as follows: "SEC.171. FAMILY AND MEDICAL LEAVE. "(a) PARTICIPANTS IN PRIVATE, STATE, AND LOCAL PROJECTS.--For purposes of title I of the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), if--"(1) a participant has provided service for the period required by section 101(2)(A)(i) (29 U.S.C. 2611(2)(A)(i)), and has met the hours of service requirement of section 101(2)(A)(ii), of such Act with respect to a project; and "(2) the service sponsor of the project is an employing agency within the meaning of subchapter V of chapter 63 of title 5, United States Code), the participant shall be considered to be an eligible employee of the service sponsor. (b) PARTICIPANTS IN FEDERAL PROJECTS.--For purposes of subchapter V of chapter 63 of title 5 United States Code, if--"(1) a participant has provided service for the period required by section 6381 (1)(B) of such title with respect to a project; and "(2) the service sponsor of the project is an employing agency within the meaning of such subchapter, the participant shall be considered to be an employee of the service sponsor.' (b) TABLE OF CONTENTS.-- Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the item relating to section 171 of such Act and inserting the following: "Sec. 171. Family and medical leave."	Sets various requirements with respect to family and medical leave./Identical language.

H.R. 2010 PROVISION	S. 919 PROVISION	EXPLANATION/RECOMMENDATION
SECTION 114. REPORTS. Section 172 of the National and Community Service Act of 1990 (42 U.S.C. 12632) is amended- (1) in subsection (a)(3)(A), by striking "sections 177 and 113(9)" and inserting "section 177" and (2) in subsection (b)(1), by striking "this title" and inserting "the national service laws".	SEC.114. REPORTS. Section 172 of the National and Community Service Act of 1990 (42 U.S.C. 12632) is amended--(1) in subsection (a)(3)(A), by striking "sections 177 and 113(9)" and inserting "section 177"; and (2) in subsection (b)(1), by striking "this title" and inserting "the national service laws".	Amends Section 172 of the National and Community Service Act of 1990./Identical language.
SECTION 115. NONDISCRIMINATION. Section 175 of the National and Community Service Act of 1990 (42 U.S.C. 12635) is amended to read as follows: SECTION 175. NONDISCRIMINATION. "(a) IN GENERAL.- "(1) BASIS.- An individual with responsibility for the operation of a project that receives assistance under this title shall not discriminate against a participant in, or member of the staff of, such project on the basis of race, color, national origin, sex, age, or political affiliation of such participant or member, or on the basis of disability, if the participant or member is a qualified individual with a disability. "(2) DEFINITION.- As used in paragraph (1), the term "qualified individual with a disability" has meaning given the term in section 101(8) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111(8))." "(b) FEDERAL FINANCIAL ASSISTANCE.- Any assistance provided under this title shall constitute Federal financial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.)	SEC.115.NONDISCRIMINATION. Section 175 of the National and Community Service Act of 1990 (42 U.S.C. 12635) is amended to read as follows: "SEC. 175. NONDISCRIMINATION. "(a) IN GENERAL.-- "(1) BASIS. An individual with responsibility for the operation of a project that receives assistance under this title shall not discriminate against a participant in, or member of the staff of, such project on the basis of race, color, national origin, sex, age, or political affiliation of such participant or member, on the basis of disability, if the participant or member is a qualified individual with a disability. "(2) DEFINITION.--As used in paragraph (1), the term 'qualified individual with a disability' has the meaning given the term in section 101(8) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111(8)). "(b) FEDERAL FINANCIAL ASSISTANCE.--Any assistance provided under this title shall constitute Federal financial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1682 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).	Sets various nondiscrimination requirements./Identical language.

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"(c) RELIGIOUS DISCRIMINATION.--"(1) IN GENERAL.-- Except as provided in paragraph (2), an individual with responsibility for the operation of a project that receives assistance under this title shall not discriminate on the basis of religion against a participant in such project or a member of the staff, of such project who is paid with funds received under this title. "(2) EXCEPTION.-- Paragraph (1) shall not apply to the employment, with assistance provided under this title, of any member of the staff, of a project that receives assistance under this title, who was employed with the organization operating the project on the date the grant under this title was awarded. "(d) RULES AND REGULATIONS.- The Chairperson shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided."	"(c) RELIGIOUS DISCRIMINATION.--"(1) IN GENERAL.--Except as provided in paragraph (2), an individual with responsibility for the operation of a project that receives assistance under this title shall not discriminate on the basis of religion against a participant in such project or a member of the staff of such project who is paid with funds received under this title. "(2) EXCEPTION.--Paragraph (1) shall not apply to the employment, with assistance provided under this title, of any member of the staff, or a project that receives assistance under this title, who was employed with the organization operating the project on the date the grant under this title was awarded. "(d) RULES AND REGULATIONS.--The President shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided."	Additional nondiscrimination requirements./Identical language except for Senate reference to President and House reference to Chairperson.

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SEC. 116. NOTICE, HEARING, AND GRIEVANCE PROCEDURES. (a) DECERTIFICATION OF POSITIONS.- Section 176(a) of the National and Community Service Act of 1990 (42 U.S.C. 12636(a) is amended- (1) in paragraph (1), by inserting", or revoke the designation of positions related to the grant or contract, as approved national service positions," before "whenever the Commission" and (2) in paragraph (2)(B), by inserting "or revoked" after "terminated". (b) CONSTRUCTION.- Section 176(e) of such Act (42 U.S.C. 12636(e) is amended by adding before the period the following", other than assistance provided pursuant to this Act". (c) GRIEVANCE PROCEDURE.-Section 176(f) of such Act is amended to read as follows: (f) GRIEVANCE PROCEDURE.- "(1) IN GENERAL.--A State and local applicant that receives assistance under this title shall establish and maintain a procedure for the filing and adjudication of grievances from participants, labor organizations, and other interested individuals concerning projects that receive assistance under this title, including grievances regarding proposed placements of such participants in such projects.	SEC.116. NOTICE, HEARING, AND GRIEVANCE PROCEDURES. (a) DECERTIFICATION OF POSITIONS.--Section 176(a) of the National and Community Service Act of 1990 (42 U.S.C. 12636(a) is amended--(1) in paragraph (1), by inserting ", or revoke the designation of positions, related to the grant or contract, as approved national service positions, before "whenever the Commission"; and "(2) in paragraph (2)(B), by inserting "or revoked" after "terminated". (b) CONSTRUCTION-- Section 176(e) of such Act (42 U.S.C. 12636(e)) is amended by adding before the period the following ", other than assistance provided pursuant to this Act". (c) GRIEVANCE PROCEDURE.--Section 176(f) of such Act is amended to read as follows: "(f) GRIEVANCE PROCEDURE.--"(1) IN GENERAL.--A State or local applicant that receives assistance under this title shall establish and maintain a procedure for the filing and adjudication of grievances from participants, labor organizations, and other interested individuals concerning projects that receive assistance under this title, including grievances regarding proposed placements of such participants in such projects.	Amends certain decertification provisions under the National and Community Service Act and sets certain requirements regarding grievance procedures./Identical language.

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"(2) DEADLINE FOR GRIEVANCES.- Except for a grievance that alleges fraud or criminal activity, a grievance shall be made not later than 1 year after the date of the alleged occurrence of the event that is the subject of the grievance. "(3) DEADLINE FOR HEARING AND DECISION.- "(A) HEARING - A hearing on any grievance conducted under this subsection shall be conducted not later than 30 days after the filing of such grievance. "(B) DECISION.- A decision on any such grievance shall be made not later than 60 days after the filing of such grievance.	"(2) DEADLINE FOR GRIEVANCES.--Except for a grievance that alleges fraud or criminal activity, a grievance shall be made not later than 1 year after the date of the alleged occurrence of the event that is the subject of the grievance. "(3) DEADLINE FOR HEARING AND DECISION.-- "(A) HEARING.--A hearing on any grievance conducted under this subsection shall be conducted not later than 30 days after the filing of such grievance. "(B) DECISION.--A decision on any such grievance shall be made not later than 60 days after the filing of such grievance.	
"(4) ARBITRATION.--(A) IN GENERAL.- "(i) JOINTLY SELECTED ARBITRATOR.- In the event of a decision on a grievance that is adverse to the party who filed such grievance, or 60 days after the filing of such grievance if no decision has been reached, such party shall be permitted to submit such grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties. "(ii) APPOINTED ARBITRATOR.- If the parties cannot agree on an arbitrator, the Chairperson shall appoint an arbitrator from a list of qualified arbitrators within 15 days after receiving a request for such appointment from one of the parties to the grievance. "(B) DEADLINE FOR PROCEEDING.- An arbitration proceeding shall be held not later than 45 days after the request for such arbitration proceeding, or, if the arbitrator is appointed by the Chairperson in accordance with sub-paragraph (A)(ii), not later than 30 days after the appointment of such arbitrator.	"(4) ARBITRATION.-- "(A) IN GENERAL.-- "(i) JOINTLY SELECTED ARBITRATOR.--In the event of a decision on a grievance that is adverse to the party who filed such grievance, or 60 days after the filing of such grievance if no decision has been reached, such party shall be permitted to submit such grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties. "(ii) APPOINTED ARBITRATOR.--If the parties cannot agree on an arbitrator, the President shall appoint an arbitrator from a list of qualified arbitrators within 15 days after receiving a request for such appointment from one of the parties to the grievance. "(B) DEADLINE FOR PROCEEDING.--An arbitration proceeding shall be held not later than 45 days after the request for such arbitration proceeding, or, if the arbitrator is appointed by the President in accordance with subparagraph (A)(ii), not later than 30 days after the appointment of such arbitrator.	Additional requirements related to grievance procedures./Identical language except for Senate reference to President and House reference to Chairperson.

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(C) DEADLINE FOR DECISION.- A decision concerning a grievance shall be made not later than 30 days after the date such arbitration proceeding begins. (D) COST.- "(i) IN GENERAL.- Except as provided in clause (ii), the cost of an arbitrator proceeding shall be divided evenly between the parties to the arbitration. "(ii) EXCEPTION.- If a participant, labor organization, or other interested individual described in paragraph (1) prevails under a binding arbitration proceeding, the State, local agency, public or private nonprofit organization, or partnership of such agencies and organizations, that is a party to such grievance shall pay the total cost of such proceeding and the attorney's fees of such participant, labor organization, or individual, as the case may be.	"(C) DEADLINE FOR DECISION.--A decision concerning a grievance shall be made not later than 30 days after the date such arbitration proceeding begins. "(D) COST.-- "(i) IN GENERAL.--Except as provided in clause (ii), the costs of an arbitration proceeding shall be divided evenly between the parties to the arbitration. "(ii) EXCEPTION.--If a participant, labor organization, or other interested individual described in paragraph (1) prevails under a binding arbitration proceeding, the State, local agency, public or private not-for-profit organization, or partnership of such agencies and organizations, that is a party to such grievance shall pay the total cost of such proceeding and the attorneys' fees of such participant, labor organization, or individual, as the case may be.	

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(5) PROPOSED PLACEMENT.- If a grievance is filed regarding a proposed placement of a participant in a project that receives assistance under this title, such placement shall not be made unless the placement is consistent with the resolution of the grievance pursuant to this subsection. "(6) REMEDIES.- Remedies for a grievance filed under this subsection include- "(A) suspension of payments for assistance under this title "(B) termination of such payments; "(C) prohibition of the placement described in paragraph (5); and "(D) in a case in which the grievance involves a violation of subsection (a) or (b) of section 177 and the employer of the displaced employee is the recipient of assistance under this title-- "(i) reinstatement of the displaced employee to the position held by such employee prior to displacement; "(ii) payment of lost wages and benefits of the displaced employee; "(iii) reestablishment of other relevant terms, conditions, and privileges of employment of displaced employee; and "(iv) such equitable relief as is necessary to correct any violation of subsection (a) or (b) of section 177 or to make the displaced employee whole. (7) ENFORCEMENT.- Suits to enforce arbitration awards under this section may be brought in any district court of the United States having jurisdiction of the parties, without regard to the amount in controversy and without regard to the citizenship of the parties."	"(5) PROPOSED PLACEMENT.--If a grievance is filed regarding a proposed placement of a participant in a project that receives assistance under this title, such placement shall not be made unless the placement is consistent with the resolution of the grievance pursuant to this subsection. "(6) REMEDIES.--Remedies for a grievance filed under this subsection include--"(A) suspension of payments for assistance under this title; "(B) termination of such payments;"(C) prohibition of the placement described in paragraph (5); and "(D) in a case in which the grievance involves a violation of subsection (a) or (b) of section 177 and the employer of the displaced employee is the recipient of assistance under this title--"(i) reinstatement of the displaced employee to the position held by such employee prior to displacement; "(ii) payment of lost wages and benefits of the displaced employee; "(iii) reestablishment of other relevant terms, conditions, and privileges of employment of the displaced employee; and "(iv) such equitable relief as is necessary to correct any violation of subsection (a) or (b) of section 177 or to make the displaced employee whole. "(7) ENFORCEMENT. Suits to enforce arbitration awards under this section may be brought in any district court of the United States having jurisdiction of the parties, without regard to the amount in controversy and without regard to the citizenship of the parties."	Sets proposed placement and remedy requirements regarding grievances./Identical language.

H.R. 2010 PROVISION	S. 919 PROVISION	EXPLANATION/RECOMMENDATION
SECTION 117. NONDISPLACEMENT. Section 177(b)(3) of the National and Community Service Act of 1990 (42 U.S.C. 12637(b)(3)) is amended.--(1) in subparagraph (B), to read as follows: "(B) SUPPLANTATION of HIRING.-- A participant in any program receiving assistance under this title shall not perform any service or duties, or engage in activities that--(i) will supplant the hiring of employed workers, or (ii) are services, duties, or activities with respect to which an individual has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures." and (2) in subparagraph (C)(iii), to read as follows: "(iii) employee who-- "(I) is subject to a reduction in force; or "(II) has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures."	SEC. 117. NONDISPLACEMENT. Section 177(b)(3) of the National and Community Service Act of 1990 (42 U.S.C. 12637(b)(3)) is amended--(1) in subparagraph (B), to read as follows: "(B) SUPPLANTATION OF HIRING.--A participant in any program receiving assistance under this title shall not perform any services or duties, or engage in activities, that-- "(i) will supplant the hiring of employed workers; or "(ii) are services, duties, or activities with respect to which an individual has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures."; and (2) in subparagraph (C)(iii), to read as follows: "(iii) employee who--"(I) is subject to a reduction in force; or "(II) has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures;".	Sets certain nondisplacement requirements./Identical language.

H.R. 2010 PROVISION	S. 919 PROVISION	EXPLANATION/RECOMMENDATION
Section 118. EVALUATION. Section 179 of the National and Community Service Act of 1990 (42 U.S.C. 12639) is amended- (1) in subsection (a)--(A) in the matter preceding paragraph (1), by striking "this title" and inserting "the national service laws; and (B) in paragraph (2)-(i) in the matter preceding subparagraph (A), by striking "for purposes of the reports required by subsection C"; and inserting "with respect to the programs authorized under subtitle C," and (ii) in subparagraph (A) by striking "older American volunteer programs" and inserting "National Senior Volunteer Corps programs", (2) in subsection (g)- (A) in the matter preceding subparagraph (1), by striking "subtitle D" and inserting "subtitle C"; and (B) in paragraphs (3) and (9) by striking older American volunteer program and inserting "National Senior Volunteer Corps programs", and (3) by striking subsections (i) and (j).	SEC.118. EVALUATION. Section 179 of the National and Community Service Act of 1990 (42 U.S.C. 12639) is amended--(1) in subsection (a)--(A) in the matter preceding paragraph (1), by striking "this title" and inserting "the national service laws"; and (B) in paragraph (2)-(i) in the matter preceding subparagraph (A), by striking "for purposes of the reports required by subsection (j)," and inserting "with respect to the programs authorized under subtitle C"; and (ii) in subparagraph (A), by striking "older American volunteer programs" and inserting "National Senior Volunteer Corps programs"; (2) in subsection (g)--(A) in the matter preceding paragraph (1), by striking "subtitle D" and inserting "subtitle C"; and (B) in paragraphs (3) and (9), by striking "older American volunteer programs" and inserting "National Senior Volunteer Corps programs"; (3) by striking subsections (i) and (j); and (4) by adding at the end the following:	Additional requirements concerning evaluation./Identical language except for subsection (i); see next page.

H.R. 2010 PROVISION	S. 919 PROVISION	EXPLANATION/RECOMMENDATION
	"(i) INDEPENDENT EVALUATION AND REPORT OF DEMOGRAPHICS OR NATIONAL SERVICE PARTICIPANTS AND COMMUNITIES. "(1) INDEPENDENT EVALUATION.--"(A) IN GENERAL.--The Corporation shall, on an annual basis, arrange for an independent evaluation of the programs assisted under subtitle C. "(B) PARTICIPANTS.--"(i) IN GENERAL.--The entity conducting such evaluation shall determine the demographic characteristics of the participants in such programs. "(ii) CHARACTERISTICS.--The entity shall determine, for the year covered by the evaluation, the total number of participants in the programs, and the number of participants within the programs in each State, by sex, age, economic background, education level, ethnic group, disability classification, and geographic region. "(iii) CATEGORIES.--The Corporation shall determine appropriate categories for analysis of each of the characteristics referred to in clause (ii) for purposes of such an evaluation. "(C) COMMUNITIES.--In conducting the evaluation, the entity shall determine the amount of assistance provided under section 121 during the year that has been expended for projects conducted under the programs in areas described in section 133(c)(6).	The Senate version, but not the House, requires an independent evaluation and report concerning the demographics of national service participants and communities./ HR

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	"(2) REPORT.--The entity conducting the evaluation shall submit a report to the President, Congress, the Corporation, and each State Commission containing the results of the evaluation.-- "(A) with respect to the evaluation covering the year beginning on the date of enactment of this subsection, not later than 18 months after such date; and "(B) with respect to the evaluation covering each subsequent year, not later than 18 months after the first day of each such year."	
SECTION 119. ENGAGEMENT OF PARTICIPANTS. Section 180 of the National and Community Service Act of 1990 (42 U.S.C. 12640) is amended by striking "post-service benefits" and inserting "national service educational awards."	SEC.119. ENGAGEMENT OF PARTICIPANTS. Section 180 of the National and Community Service Act of 1990 (42 U.S.C. 12640) is amended by striking "post-service benefits" and inserting "national service educational awards".	Amends Section 180 of the National and Community Service Act of 1990./Identical language.
SECTION 120 CONTINGENT EXTENSION. (a) IN GENERAL.-- Section 181 of the National and Community Service Act of 1990 (42 U.S.C. 12641) is amended to read as follows: Sec. 181 CONTINGENT EXTENSION. Section 414 of the General Education Provision Act (20 U.S.C. 1226a) shall apply to this Act." (b) TABLE OF CONTENTS.-- Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610;104 Stat. 3127) is amended by striking the item relating to sections 181 of such Act and inserting the following: "Sec.191. Contingent extension."	SEC.120. CONTINGENT EXTENSION. (a) IN GENERAL.--Section 181 of the National and Community Service Act of 1990 (42 U.S.C. 12641) is amended to read as follows: "SEC. 181. CONTINGENT EXTENSION. "Section 414 of the General Education Provisions Act (20 U.S.C. 1226(a) shall apply to this Act.". (b) TABLE OF CONTENTS.--Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the item relating to sections 181 of such Act and inserting the following: "Sec 181. Contingent extension."	Amends Section 181 of the National and Community Service Act of 1990./Identical language.

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	SEC.121. AUDITS. (a) IN GENERAL.--Section 183 of the National and Community Service Act of 1990 (42 U.S.C. 12643) is amended to read as follows: "SEC.183. AUDITS. "For purposes of the application of chapter 75 of title 31, United States Code (commonly known as the 'Single Audit Act of 1984') to State and local government that receive financial assistance under this Act--"(1) each program through which the State or local government receives such assistance shall be deemed to be a major Federal assistance program; "(2) each audit conducted under such chapter with respect to a program shall be conducted annually; "(3) each audit conducted under such chapter shall be conducted in accordance with the requirements of such chapter and the requirements of the regulations prescribed pursuant to section 7505 of such title, and with such requirements as the Comptroller General may specify; and "(4) the provisions of section 422 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5062) shall apply with respect to maintenance of books, documents, papers, and records for such audits, in the same manner and to the same extent as such provisions apply to books, documents, papers, and records maintained for audits under such Act.". (b) TABLE OF CONTENT.--Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the items relating to section 183 of such Act and inserting the following; "Sec. 183. Audits."	The Senate version, but not the House, specifies certain requirements with respect to audits./ HR

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SEC. 121. REPEALS. (a) IN GENERAL.--Subtitle F of title I of the National and Community Service Act of 1990 (42 U.S.C. 12631 et seq.) is amended--(1) by repealing sections 183, 185, and 186; and (2) by redesignating section 184 as section 183. (b) TABLE OF CONTENTS--Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the items relating to sections 183, 184, and 185 of such Act and inserting the following: "Sec. 183. Drug-free workplace requirements."	SEC. 122. REPEALS. (a) IN GENERAL.--Subtitle F of Title I of the National and Community Service Act of 1990 (42 U.S.C. 12631 et seq.) is amended by repealing sections 185 and 186. (b) TABLE OF CONTENTS.--Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the items relating to sections 185 and 186 of such Act.	Repeals certain provisions of subtitle F of title I of the National and Community Service Act. Slight language differences concerning references./

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TITLE II--ORGANIZATION SEC. 201. STATE COMMISSIONS ON NATIONAL SERVICE. (a) COMPOSITION AND DUTIES OF STATE COMMISSIONS.--Subtitle F of title I of the National and Community Service Act of 1990 is amended by striking section 178 (42 U.S.C. 12638) and inserting the following new section: "SEC. 178. STATE COMMISSIONS ON NATIONAL SERVICE. "(a) EXISTENCE REQUIRED.--"(1) STATE COMMISSION.--Except as provided in paragraph (2), to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State shall maintain a State Commission on National Service that satisfies the requirements of this section.	TITLE II--ORGANIZATION SEC. 201. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE. (a) COMPOSITION AND DUTIES OF STATE COMMISSIONS.--Subtitle F of title I of the National and Community Service Act of 1990 is amended by striking section 178 (42 U.S.C. 12638) and inserting the following new section: "SEC. 178. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE. "(A) EXISTENCE REQUIRED.--"(1) STATE COMMISSION.--Except as provided in paragraph (2), to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State shall maintain a State Commission on National and Community Service that satisfied the requirements of this section.	Sets various organizational requirements. Identical language except the Senate version refers to "some of the individuals described in paragraph (2)" while the House version states that "any alternative entity shall provide for the individuals described in ...paragraph 2."/
"(2) ALTERNATIVE ADMINISTRATIVE ENTITY.--The chief executive officer of a State may apply to the Corporation for approval to use an alternative administrative entity to carry out the duties otherwise entrusted to a State Commission under this Act. The chief executive officer shall ensure that any alternative administrative entity used in lieu of a State Commission still provides for the individuals described in paragraphs (1) and (2) of subsection (c) to play a significant policy-making role in carrying out the duties otherwise entrusted to a State Commission, including the submission of applications on behalf of the State under sections 117B and 130.	"(2) ALTERNATIVE ADMINISTRATIVE ENTITY.--The chief executive officer of a State may apply to the Corporation for approval to use an alternative administrative entity to carry out the duties otherwise entrusted to a State Commission under this Act. The chief executive officer shall ensure that any alternative administrative entity used in lieu of a State Commission still provides for the individuals described in paragraph (1), and some of the individuals described in paragraph (2), of subsection (c) to play a significant policymaking role in carrying out the duties otherwise entrusted to a State Commission, including the submission of applications on behalf of the State under sections 117B and 130.	

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(b) APPOINTMENT AND SIZE.--Except as provided in subsection (c)(3), the members of a State Commission for a State shall be appointed by the chief executive officer of the State. A State Commission shall consist of not less than 15 voting members.	"(b) APPOINTMENT AND SIZE.--Except as provided in subsection (c)(3), the members of a State Commission for a State shall be appointed by the chief executive officer of the State. A State Commission shall consist of not less than 7 voting members and not more than 25 voting members.	Regarding appointment and size of the State Commission, the Senate version requires not less than 7 nor more than 25 voting members, while the House version requires not less than 15 voting members./
"(c) COMPOSITION AND MEMBERSHIP.-- "(1)REQUIRED MEMBERS.--The State Commission for a State shall include as voting members at least one of each of the following individuals: "(A) An individual with expertise in the educational, training, and development needs of youth, particularly disadvantaged youth. "(B) An individual with experience in promoting the involvement of older Americans in service and voluntarism. "(C) A representative of community action agencies and community-based organizations within the State, particularly those agencies and organizations that--"(i) are located in areas of the State with high rates of poverty; "(ii) provide a comprehensive range of services to economically disadvantaged individuals and families; "(iii) have a demonstrated record of effectiveness; and "(iv) are governed by a board composed in significant part of economically disadvantaged individuals. "(D) A youth who is or has been a participant in a service program. "(E) An individual with expertise in the delivery of human, educational, environmental, or public safety services to communities and person. "(F) The head of the State educational agency. "(G) A representative of local governments in the State. "(H) A representative of local labor organizations in the State. "(I) representatives of business.	"(c) COMPOSITION AND MEMBERSHIP.--"(1) REQUIRED MEMBERS.--The State Commission for a State shall include as voting members at least one representative from each of the following categories: "(A) Individuals between the ages of 16 and 25 who are participants or supervisors in the programs. "(B) National service programs, such as youth corps programs. "(C) School-based or community-based programs for school-age youth. "(D) Programs in which older adults are participants. "(E) Local and State governmental entities in the State, including the State educational agency (from which at least one such member shall be appointed). "(F) Local labor organizations.	Significant differences in the required members of State Commissions between the House and Senate. The House is more prescriptive./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(2) ADDITIONAL MEMBERS.--The State Commission for a State may also include as voting members the following individuals: "(A) Representatives of entities which receive assistance under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.). "(B) Educators. "(C) Individuals who are recognized for their outstanding contributions as volunteers in service to their community, State, and Nation.	"(2) SOURCES OF OTHER MEMBERS.--The State Commission for a State may include as voting members the following: "(A) Representatives of community-based organizations or community-based agencies, including community action agencies. "(B) Members selected from among participants in service programs who are youths. "(C) Members selected from among local educators. "(D) Members selected from among experts in the delivery of human, educational, environmental, or public safety services to communities and persons. "(E) Representatives of businesses and business groups. "(F) Representatives of Indian tribes. "(G) Representatives of groups serving economically disadvantaged individuals. "(H) Members selected from among out-of-school youth or other at-risk youth. "(I) Members selected from among older adults who are volunteers or participants in national service programs.	Sets requirements for additional voting members. Significant differences, with the Senate being more prescriptive./
"(3) CORPORATION REPRESENTATIVE.--The representative of the Corporation designated under section 195(b) for a State shall be a voting member of the State Commission for that State.	"(3) CORPORATION REPRESENTATIVE.--The representative of the Corporation designated under section 195(b) for a State shall be a voting member of the State Commission or alternative administrative entity for that State.	Designates a Corporation Representative for each state. Identical language except for Senate inclusion of "or alternative administrative entity."/

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(4) EX OFFICIO STATE REPRESENTATIVES.--The chief executive officer of a State may appoint as nonvoting ex officio members of the State Commission for the State representatives selected from among officers and employees of State agencies operating community service, youth service, education, social service, senior service, and job training programs. "(5) LIMITATION ON NUMBER OF STATE EMPLOYEES AS MEMBERS.--The number of voting members of a State Commission selected under paragraph (1) or (2) who are officers or employees of the State may not exceed 25 percent (reduced to the nearest whole number) of the total membership of the State Commission.	"(4) EX OFFICIO STATE REPRESENTATIVES.--The chief executive officer of a State shall appoint, as an ex officio nonvoting member of the State Commission for the State, the Corporation employee responsible for volunteer service programs in the State, if such employee is not the representative described in paragraph (3). The chief executive officer may appoint, as ex officio nonvoting members of the State Commission for the State, representatives selected from among officers and employees of State agencies operating community service, youth service, education, social service, senior service, and job training programs. "(5) LIMITATION ON NUMBER OF STATE EMPLOYEES AS MEMBERS.--The number of voting members of a State Commission selected under paragraph (1) or (2) who are officers or employees of the State may not exceed 25 percent (reduced to the nearest whole number) of the total membership of the State Commission.	Appointment of an ex officio state representative is required here by the Senate, if the individual is not the Corporation representative. House has no such requirement. Also limits the number of State employees to be appointed to the State Commission (identical limitation)./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(d) MISCELLANEOUS MATTERS.--"(1) MEMBERSHIP BALANCE.--The chief executive officer of a State shall ensure that the membership of the State Commission for the State is balanced according to race, ethnic background, age, and gender. Not more than 50 percent of the voting members of a State Commission, plus 1 additional member, may be from the same political party. "(2) TERMS.--Each member of the State Commission for a State shall serve for a term of 3 years, except that the chief executive officer of a State shall initially appoint a portion of the members to terms of 1 year and 2 years. "(3) VACANCIES.--As vacancies occur on a State Commission, new members shall be appointed by the chief executive of the State and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the power of the remaining members to execute the duties of the State Commission. "(4) COMPENSATION.--A member of a State Commission shall not receive any additional compensation by reason of service on the State Commission, except that the State may authorize the reimbursement of travel expenses, including a per diem in lieu of subsistence, in the same manner as other employees service intermittently in the service of the State. "(5) CHAIRPERSON.--The voting members of a State Commission shall elect one of the voting members to serve as chairperson of the State Commission.	"(d) MISCELLANEOUS MATTERS.--"(1) MEMBERSHIP BALANCE.--The chief executive officer of a State shall ensure, to the maximum extent practicable, that the membership of the State Commission for the State is diverse with respect to race, ethnicity, age, gender, and disability characteristics. Not more than 50 percent of the voting members of a State Commission, plus one additional member, may be from the same political party. "(2) TERMS.--Each member of the State Commission for a State shall serve for a term of 3 years, except that the chief executive officer of a State shall initially appoint a portion of the members to terms of 1 year and 2 years. "(3) VACANCIES.--As vacancies occur on a State Commission, new members shall be appointed by the chief executive of the State and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the power of the remaining members to execute the duties of the State Commission. "(4) COMPENSATION.--A member of a State Commission or alternative administrative entity shall not receive any additional compensation by reason of service on the State Commission or alternative administrative entity, except that the State may authorize the reimbursement of travel expenses, including a per diem in lieu of subsistence, in the same manner as other employees serving intermittently in the service of the State. "(5) CHAIRPERSON.--The voting members of a State Commission shall elect one of the voting members to serve as the chairperson of the State Commission.	Addresses miscellaneous issues with respect to state commissions. Differences in membership balance exist between the two versions, with the Senate requiring diverse characteristics, including disability characteristics. The House requires balanced membership and does not mention disability./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(e) DUTIES OF A STATE COMMISSION.--The State Commission for a State shall be responsible for the following duties: "(1) Preparation of a national service plan for that State that-- "(A) is developed through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from existing national service programs within the State and other interested members of the public; "(B) covers a 3-year period; "(C) is updated annually; and "(D) contains such information as the State Commission considers to be appropriate or as the Corporation may require. "(2) Preparation of the applications of the State under sections 117B and 130 for financial assistance. "(3) Assistance in the preparation of the application of the State educational agency for assistance under section 113. "(4) Preparation of the application of the State under section 130 for the approval of service positions that include the national service educational award described in subtitle D.	"(e) DUTIES OF A STATE COMMISSION.--The State Commission or alternative administrative entity for a State shall be responsible for the following duties: "(1) Preparation of a national service plan for the State that-- "(A) covers a 3-year period; "(B) is updated annually; "(C) contains such information as the State Commission of alternative administrative entity considers to be appropriate or as the Corporation may require; and "(D) ensures outreach to diverse community-based agencies that serve underrepresented populations, by--"(i) using established networks, and registries, at the State level; or "(ii) establishing networks and registries. "(2) Preparation of the applications of the State under sections 117B and 130 for financial assistance, in such a manner as to ensure that any decision regarding whether to include a program in the application shall be made on the basis of the criteria described in section 133(c), applied in a fair and equitable manner by an impartial decision maker. "(3) Assistance in the preparation of the application of the State educational agency for assistance under section 113.	Sets duties of the State Commission. Senate version requires outreach to diverse community-based agencies while House version does not mention outreach but requires an open and public process. Also, the Senate version specifies certain criteria for including a program within the State application./
"(5) Make recommendations to the Corporation with respect to priorities for programs receiving assistance under the Domestic Volunteer Act of 1973. "(6) Make technical assistance available to enable applicants under section 121--"(A) to plan and implement service programs; and "(B) to apply for assistance under the national service laws using, if appropriate, information and materials available through a clearinghouse established under section 198A.	"(4) Preparation of the application of the State under section 130 for the approval of service positions that include the national service educational award described in subtitle D.	The House version, but not S.919, states that the State Commission shall make recommendations regarding priorities under the Domestic Volunteer Service Act and shall make technical assistance available to applicants./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(7) Assistance in the provision of health care and child care benefits under section 140 to participants in national service programs that receive assistance under section 121.	"(5) Assistance in the provision of health care and child care benefits under section 140 to participants in national service programs that receive assistance under section 121.	Requires assistance from the State Commission in the provision of health care and child care benefits./Identical language.
"(8) Development of a State system for the recruitment and placement of participants in national service programs that receive assistance under the national service laws and dissemination of information concerning national service programs that receive assistance and approved national service positions. "(9) Administration of the grant program in support of national service programs that is conducted by the State, using assistance provided to the State under section 121, including selection, oversight, and evaluation of grant recipients. "(10) Development of projects, training methods, curriculum materials, and other materials and activities related to national service programs that receive assistance from the State using assistance provided under section 121.	"(6) Development of a State system for the recruitment and placement of participants in national service programs that receive assistance under section 121 and dissemination of information concerning national service programs that receive assistance and approved national service positions. "(7) Administration of the grant program in support of national service programs that is conducted by the State using assistance provided to the State under section 121, including selection, oversight, and evaluation of grant recipients. "(8) Development of projects, training methods, curriculum materials, and other materials and activities related to national service programs that receive assistance directly from the Corporation (to be made available in a case in which such a program requests such a project, method, material, or activity) or from the State using assistance provided under section 121, for use by programs that request such projects, methods, materials, and activities.	Sets additional duties of State Commission. Minor language differences between the two versions.
"(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.--A State Commission may not directly carry out any national service program that receives assistance under section 121. "(g) DELEGATION.--Subject to such requirements as the Corporation may subscribe, a State Commission may delegate nonpolicymaking duties to a State agency or public or private nonprofit organization.	"(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.-- A State Commission or alternative administrative entity may not directly carry out any national service program that receives assistance under section 121. "(g) DELEGATION.--Subject to such requirements as the Corporation may prescribe, a State Commission may delegate nonpolicymaking duties to a State agency or public or private not-for-profit organization.	Sets additional requirements applicable to State Commissions. Identical language except that Senate version continues to include "or alternative administrative entity" as a modifier of the State Commission. H.R. 2010 refers only to State Commissions./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(h) APPROVAL OF A STATE COMMISSION OR ALTERNATIVE.--"(1) SUBMISSION TO CORPORATION.--The chief executive officer for a State shall notify the Corporation of the establishment or designation of the State Commission for the State. The notification shall include a description of--"(A) the composition and membership of the State Commission; and "(B) the authority of the State Commission regarding national service activities carried out by the State. "(2) APPROVAL OF ALTERNATIVE ADMINISTRATIVE ENTITY.--Any use of an alternative administrative entity to carry out the duties of a State Commission shall be subject to the approval of the Corporation.	"(h) APPROVAL OF STATE COMMISSION OR ALTERNATIVE.--"(1) SUBMISSION TO CORPORATION.--The chief executive officer for a State shall notify the Corporation of the establishment or designation of the State Commission or use of an alternative administrative entity for the State. The notification shall include a description of--"(A) the composition and membership of the State Commission or alternative administrative entity; and "(B) the authority of the State Commission or alternative administrative entity regarding national service activities carried out by the State. "(2) APPROVAL OF ALTERNATIVE ADMINISTRATIVE ENTITY.--Any designation of a State Commission or use of an alternative administrative entity to carry out the duties of a State Commission shall be subject to the approval of the Corporation.	Sets similar criteria related to the approval of a State Commission or an alternative. Language has effect but is drafted with differences, including the Senate version requiring approval of the State Commission or alternative, with the House version requiring notification of the Corporation if a State Commission, and approval if an alternative.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(3) REJECTION.--The Corporation may reject a State Commission if the Corporation determines that the composition, membership, or duties of the State Commission do not comply with the requirements of this section. The Corporation shall reject a request to use an alternative administrative entity in lieu of a State Commission if the Corporation determines that use of the alternative administrative entity does not allow the individuals described in paragraphs (1) and (2) of subsection (c) to play a significant policy-making role in carrying out the duties otherwise entrusted to a State Commission. If the Corporation rejects a State Commission or alternative administrative entity under this paragraph, the Corporation shall promptly notify the State of the reasons for the rejection. "(4) RESUBMISSION AND RECONSIDERATION.--The Corporation shall provide a State notified under paragraph (3) with a reasonable opportunity to revise the rejected State Commission or alternative administrative entity. At the request of the State, the Corporation shall provide technical assistance to the State as part of the revision process. The Corporation shall promptly reconsider any resubmission of a notification under paragraph (1) or application to use an alternative administrative entity under paragraph (2). "(5) SUBSEQUENT CHANGES.--This subsection shall also apply to any change in the composition or duties of a State Commission or an alternative administrative entity made after approval of the State Commission or alternative administrative entity.	"(3) REJECTION.--The Corporation may reject a State Commission if the Corporation determines that the composition, membership, or duties of the State Commission do not comply with the requirements of this section. The Corporation shall reject a request to use an alternative administrative entity in lieu of a State Commission if the Corporation determines that use of the alternative administrative entity does not allow the individuals described in paragraph (1), and some of the individuals described in paragraph (2), of subsection (c) to play a significant policymaking role in carrying out the duties otherwise entrusted to a State Commission. If the Corporation rejects a State Commission or alternative administrative entity under this paragraph, the Corporation shall promptly notify the State of the reasons for the rejection. "(4) RESUBMISSION AND RECONSIDERATION.--The Corporation shall provide a State notified under paragraph (3) with a reasonable opportunity to revise the rejected State Commission or alternative administrative entity. At the request of the State, the Corporation shall provide technical assistance to the State as part of the revision process. The Corporation shall promptly reconsider any resubmission of a notification under paragraph (1) or application to use an alternative administrative entity under paragraph (2). "(5) SUBSEQUENT CHANGES.--This subsection shall also apply to any change in the composition or duties of a State Commission or an alternative administrative entity made after approval of the State Commission or the alternative administrative entity.	Sets rejection and resubmission requirements. Virtually identical language except for Senate reference to "some of the individuals described in paragraph (2)" while the House refers to the individuals described in paragraphs (1) and (2)./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
	"(i) COORDINATION.-- "(1) COORDINATION WITH VOLUNTEER SERVICE PROGRAMS.--"(A) IN GENERAL.--The State Commission or alternative administrative entity for a State shall coordinate functions of the Commission or entity (including recruitment, public awareness, and training activities) with such functions of any division of ACTION, or of the Corporation, that carries out volunteer service programs in the State. "(B) AGREEMENT.--In coordinating functions under this paragraph, such Commission or entity, and such division, may enter into an agreement to--"(i) carry out such a function jointly; "(ii) to assign responsibility for such a function to the Commission or entity; or "(iii) to assign responsibility for such a function to the division. "(C) INFORMATION.--The State Commission or alternative entity for a State, and the head of any such division, shall exchange information about--"(i) the programs carried out in the State by the Commission, entity, or division, as appropriate; and "(ii) opportunities to coordinate activities.	The Senate version, but not the House version, specifies certain coordination requirements./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
-	"(j) LIABILITY OF STATE.--Except as provided in paragraph (2)(B), a State shall agree to assume liability with respect to any claim arising out of or resulting from any act or omission by a member of the State Commission or alternative administrative entity of the State, within the scope of the service of the member on the State Commission or alternative administrative entity. "(2) OTHER CLAIMS.-- "(A) IN GENERAL.--A member of the State Commission or alternative administrative entity shall have no personal liability with respect to any claim arising out of or resulting from any act or omission by such person, within the scope of the service of the member on the State Commission or alternative administrative entity.	The Senate version, but not the House version, specifies certain liability matters./
	"(B) LIMITATIONS.--This paragraph shall not be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions outside the scope of the service of such member on the State Commission or alternative administrative entity. "(3) EFFECT ON OTHER LAW.--This subsection shall not be construed-- -(A) to affect any other immunities and protections that may be available to such member under applicable law with respect to such service; "(B) to affect any other right or remedy against the State under applicable law, or against any person other than a member of the State Commission or alternative administrative entity; or "(C) to limit or alter in any way the immunities that are available under applicable law for State officials and employees not described in this subsection."	

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
(b) TABLE OF CONTENTS.--Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the item relating to section 178 and inserting the following new item: "Sec. 178. State Commissions on National Service." (c) EFFECTIVE DATE.--The amendments made by this section shall take effect on the date of the enactment of this Act. (d) TRANSITIONAL PROVISIONS.--(1) USE OF ALTERNATIVES TO STATE COMMISSION.--If a State does not have a State Commission on National Service that satisfies the requirements specified in section 178 of the National and Community Services Act of 1990, as amended by subsection (a), the Corporation for National Service may authorize the chief executive of the State to use an existing agency of the State to perform the duties otherwise reserved to a State Commission under subsection (e) of such section. (2) APPLICATION OF SUBSECTION.--This subsection shall apply only during the 18-month period beginning on the date of the enactment of this Act.	(b) TABLE OF CONTENTS.--Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the item relating to section 178 and inserting the following new item: "Sec. 178. State Commissions on National and Community Service.". (c) EFFECTIVE DATE.--The amendments made by this section shall take effect on the date of the enactment of this Act. (d) TRANSITIONAL PROVISIONS.--(1) USE OF ALTERNATIVES TO STATE COMMISSION.--If a State does not have a State Commission on National and Community Service that satisfies the requirements specified in section 178 of the National and Community Service Act of 1990, as amended by subsection (a), the Corporation for National and Community Service may authorize the chief executive of the State to use an existing agency of the State to perform the duties otherwise reserved to a State Commission under subsection (e) of such section. (2) APPLICATION OF SUBSECTION.--This subsection shall apply only during the 1-year period beginning on the date of the enactment of this Act.	Sets table of contents, effective dates, and transitional periods./Identical language.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION FOR NATIONAL SERVICE AND ACTION AGENCY. (a) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.--Subtitle G of title 1 of the National and Community Service Act of 1990 (42 U.S.C. 12651) is amended to read as follows: "SUBTITLE G--Corporation for National Service "SEC. 191. CORPORATION FOR NATIONAL SERVICE. "There is established a Corporation for National Service that shall administer the programs established under this Act. The Corporation shall be a Government corporation, as defined in section 103 of title 5, United States code.	SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE AND ACTION AGENCY. (a) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.--Subtitle G of title I of the National and Community Service Act of 1990 (42 U.S.C. 12651) is amended to read as follows: "Subtitle G--Corporation for National and Community Service. "SEC. 191. CORPORATION FOR NATIONAL AND COMMUNITY SERVICE. "There is established a Corporation for National and Community Service that shall administer the programs established under this Act. The Corporation shall be a Government corporation, as defined in section 103 of title 5, United States Code.	Establishes the Corporation. Identical language except for difference in the name of the Corporation./
"SEC. 192. BOARD OF DIRECTORS. "(a) COMPOSITION.--"(1) IN GENERAL.--There shall be in the Corporation a Board of Directors (referred to in this subtitle as the 'Board') that shall be composed of--"(A) not less than 15 members, including the Chairperson appointed under section 193, to be appointed by the President, by and with the advice and consent of the Senate; and "(B) the ex officio members described in paragraph (4).	"SEC. 192. BOARD OF DIRECTORS. "(a) COMPOSITION.--"(1) IN GENERAL.--There shall be in the Corporation a Board of Directors (referred to in this subtitle as the 'Board') that shall be composed of--"(A) 15 members, including an individual between the ages of 16 and 25 who--"(i) has served in a school-based or community-based service-learning program; or "(ii) is a participant or a supervisor in a program, to be appointed by the President of the United States, by and with the advice and consent of the Senate; "(B) the President of the Corporation, who shall serve as an ex officio nonvoting member; and "(C) the ex officio nonvoting members described in paragraph (3).	Sets general requirements for the Board of Directors of the Corporation. Differences between the two bills in general requirements governing composition of the Board are: Number (not less than 15 (House) vs. 15 (Senate); Requirement for an individual on the Board who is between the ages of 16 and 25 (Senate not House); and requirement that the President of the Corporation serve as an ex-officio non-voting member of the Board (Senate not House)./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(2) QUALIFICATIONS.--To the maximum extent practicable, the President shall appoint members--"(A) who have extensive experience in volunteer and service programs, including programs funded under one of the national service laws, and in State government; "(B) who represent a broad range of viewpoints; "(C) who are experts in the delivery of human, educational, environmental, or public safety services; "(D) so that the Board shall be diverse according to race, ethnicity, age, and gender; and "(E) so that no more than 50 percent of the appointed members of the Board, plus 1 additional member, are from a single political party. "(3) EX OFFICIO MEMBERS.--The Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Housing and Urban Development, the Secretary of Defense, the Attorney General, the Director of the Peace Corps, and the Administrator of the Environmental Protection Agency shall serve as ex officio members of the Board.	"(2) QUALIFICATIONS.--To the maximum extent practicable, the President of the United States shall appoint members--"(A) who have extensive experience in volunteer or service activities, such as--"(i) activities funded under the national service laws; and "(ii) Federal financial assistance activities, such as--"(I) activities under the Head Start Act (42 U.S.C. 9831 et seq.); "(ii) activities under the Community Services Block Grant Act (42 U.S.C.9901 et seq.); or "(III) antipoverty activities under other Federal law; that have a volunteer or service focus; "(B) who represent a broad range of viewpoints; "(C) who are experts in the delivery of human, environmental, educational, or public safety services; "(D) that include at least one representative of local educators and at least one representative of community-based agencies; "(E) so that the Board shall be diverse with respect to race, ethnicity, age, gender, and disability characteristics, and "(F) so that no more than 8 appointed members of the Board are from a single political party. "(3) EX OFFICIO MEMBERS.--The Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Housing and Urban Development, the Secretary of Defense, the Attorney General, the Director of the Peace Corps, and the Administrator of the Environmental Protection Agency shall serve as ex officio nonvoting members of the Board.	Sets qualifications for Board members and sets ex-officio members. Provisions governing ex-officio membership are identical. The differences regarding qualifications in the bills are: (1) Reference in Senate bill to experience in Federal financial assistance activities; (2) Requirement in Senate bill that at least one member represent local educators and at least one represent community-based agencies; (3) The Senate bill, in describing the diversity of the Board, includes disability characteristics./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
	"(b) OFFICERS.--"(1) CHAIRPERSON AND VICE CHAIRPERSON.--The Board shall elect a Chairperson and a Vice Chairperson from among its membership. "(2) OTHER OFFICERS.--The Board may elect from among its membership such additional officers of the Board as the Board determines to be appropriate.	The Senate bill states that the Board shall elect a Chairperson and a Vice Chairperson from the membership. In contrast, the House version states that the Board shall elect a Vice Chairperson from its membership (see sec. 192A(c)). [The Director of the Corporation, appointed by the President, serves as the Chair of the Board.]/
"(b) TERMS.--Each appointed member of the Board shall serve for a term of 5 years, except that, as designated by the President-- "(1) 3 of the members first appointed to the Board shall serve for a term of 1 year; "(2) 3 of the members first appointed to the Board shall serve for a term of 2 years; "(3) 3 of the members first appointed to the Board shall serve for a term of 3 years; "(4) 3 of the members first appointed to the Board shall serve for a term of 4 years; and "(5) the remainder of the members first appointed to the Board shall serve for a term of 5 years. "(c) VACANCIES.--As vacancies occur on the Board, new members shall be appointed by the President, by and with the advice and consent of the Senate, and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the power of the remaining members to execute the duties of the Board.	"(c) TERMS.--Each appointed member of the Board shall serve for a term of 3 years, except that 5 of the members first appointed to the Board after the date of enactment of this section shall serve for a term of 1 year and 5 shall serve for a term of 2 years, as designated by the President of the United States. "(d) VACANCIES.--As vacancies occur on the Board, new members shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the power of the remaining members to execute the duties of the Board.	Sets authorities and duties of the Board. Differences are: (1) Senate version states that additional meetings shall be held if requested by 6 members in writing; the House requires a majority to make such a request. (2) Initial differences in length of term reflect different authorization periods.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF DIRECTORS. "(a) MEETINGS.--The Board shall meet not less than 3 times each year. The Board shall hold additional meetings at the call of the Chairperson or if a majority of the members of the Board request such meetings in writing. In addition, the Board (or designated members of the Board) shall conduct periodic public hearings throughout the United States to examine and review operation of the national service laws. "(b) QUORUM.--A majority of the appointed members of the Board shall constitute a quorum. "(c) OFFICERS.--"(1) VICE CHAIRPERSON.--The Board shall elect a Vice Chairperson from among its membership. The Vice Chairperson may conduct meetings of the Board in the absence of the Chairperson. "(2) OTHER OFFICERS.--The Board may elect from among its membership such additional officers of the Board as the Board determines to be appropriate.	"SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF DIRECTORS. "(a) MEETINGS. The Board shall meet not less than 3 times each year. The Board shall hold additional meetings at the call of the Chairperson of the Board, or if 6 members of the Board request such meetings in writing. "(b) QUORUM.--A majority of the appointed members of the Board shall constitute a quorum. "(c) AUTHORITIES OF OFFICERS.--"(1) CHAIRPERSONS.--The Chairperson of the Board may call and conduct meetings of the Board. "(2) VICE CHAIRPERSON.--The Vice Chairperson of the Board may conduct meetings of the Board in the absence of the Chairperson.	Generally identical except the House, but not the Senate, states that the Board shall conduct public hearings throughout the United States./
"(d) INSPECTOR GENERAL OVERSIGHT COMMITTEE.--The Board shall establish an Inspector General oversight committee (referred to in this subtitle as the 'oversight committee'). Such committee shall be comprised of the Vice Chairperson and two members selected by the Vice Chairperson. The Chairperson shall not serve on the oversight committee.		The House, but not the Senate, requires the Board to establish an Inspector General Oversight Committee./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(e) EXPENSES.--While away from their homes or regular places of business on the business of the Board, members of such Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, for persons employed intermittently in the Government service. "(f) SPECIAL GOVERNMENT EMPLOYEES.--For purposes of the provisions of chapter 11 of part I of title 18, United States Code, and any other provision of Federal law, a member of the Board (to whom such provisions would not otherwise apply except for this subsection) shall be a special Government employee.	"(d) EXPENSES.--While away from their homes or regular places of business on the business of the Board, members of such Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, for persons employed intermittently in the Government service. "(e) SPECIAL GOVERNMENT EMPLOYEES.--For purposes of the provisions of chapter 11 of part I of title 18, United States Code, and any other provision of Federal law, a member of the Board (to whom such provisions would not otherwise apply except for this subsection) shall be a special Government employee.	Covers expenses and special government employee status./Identical language.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(g) STATUS OF MEMBERS.--"(1) OTHER CLAIMS.--A member of the Board has no personal liability under Federal law with respect to any claim arising out of or resulting from any act or omission by such person, within the scope of the service of the member on the Board, in connection with any transaction involving the provision of financial assistance by the Corporation. This paragraph shall not be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other act or omission outside the scope of the service of such member on the Board. "(2) EFFECT ON OTHER LAW.--This subsection shall not be construed --"(A) to affect any other immunities and protections that may be available to such member under applicable law with respect to such transactions; "(B) to affect any other right or remedy against the Corporation, against the United States under applicable law, or against any person other than a member of the Board participating in such transactions; or "(C) to limit or alter in any way the immunities that are available under applicable law for Federal officials and employees not described in this subsection.	"(f) STATUS OF MEMBERS.--"(1) TORT CLAIMS.--For the purposes of the tort claims provisions of chapter 171 of title 28, United States Code, a member of the Board shall be considered to be a Federal employee. "(2) OTHER CLAIMS.--A member of the Board shall have no personal liability under Federal law with respect to any claim arising out of or resulting from any act or omission by such person, within the scope of the service of the member on the Board, in connection with any transaction involving the provision of financial assistance by the Corporation. This paragraph shall not be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other act or omission outside the scope of the service of such member on the Board. "(3) EFFECT ON OTHER LAW.--This subsection shall not be construed--"(A) to affect any other immunities and protections that may be available to such member under applicable law with respect to such transactions; "(B) to affect any other right or remedy against the Corporation, against the United States under applicable law, or against any person other than a member of the Board participating in such transactions; or "(C) to limit or alter in any way the immunities that are available under applicable law for Federal officials and employees not described in this subsection.	Sets status of members. Versions are identical except that Senate version states that a Board member shall be considered a Federal employee for purposes of tort claims. The House has no similar provision./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(h) DUTIES.--The Board shall--"(1) prepare a strategic plan every 3 years, and annual updates of the plan, for the Corporation with respect to the grants, allotments, contracts, assistance, and payments made by the Corporation, and with respect to such standards, policies, procedures, programs, and initiatives as are necessary or appropriate to carry out this Act; "(2) make recommendations with respect to the regulations established under section 195(b)(3)(A); "(3)(A) review the actions of the Chairperson with respect to--"(i) grants, allotments, contracts, assistance, and payments made by the Corporation; "(ii) the personnel of the Corporation; and "(iii) the standards, policies, procedures, programs, and initiatives of the Corporation; and "(B) inform the Chairperson of any aspects of the actions of the Chairperson that are not in compliance with the annual strategic plan described in paragraph (1) or the recommendations described in paragraph (2), or are not consistent with the objectives of this Act;	"(g) DUTIES.--The Board shall--"(1) review and approve the strategic plan described in section 193A(b)(1), and annual updates of the plan; "(2) review and approve the strategic plan described in section 193A(b)(2)(A), with respect to the grants, allotments, contracts, financial assistance, payment, and positions referred to in such section; "(3) review and approve the proposal described in section 193A(b)(3)(A), regarding the regulations, standards, policies, procedures, programs, and initiatives referred to in such section; "(4) review and approve the evaluation plan described in section 193A(b)(4)(A); "(5)(A) review, and advise the President regarding, the actions of the President with respect to the personnel of the Corporation, and with respect to such standards, policies, procedures, programs, and initiatives as are necessary or appropriate to carry out this Act; and "(B) inform the President of any aspects of the actions of the President that are not in compliance with the annual strategic plan referred to in paragraph (1), the proposals referred to in paragraphs (2) and (3), or the plan referred to in paragraph (4), or are not consistent with the objectives of this Act;	Sets the duties of the Board. There are differences, as follows: (1) The House requires the Board to prepare the strategic plan; the Senate requires the Board to review and approve it. (2) The House requires the Board to disseminate information; the Senate requires the Board to ensure effective dissemination of information. Also, there are minor drafting differences throughout the section./

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"(4) receive reports issued by the Inspector General of the Corporation and review actions taken by the Chairperson with respect to such reports; "(5) review the evaluation of programs established under this Act, in accordance with section 179; "(6) make recommendations for research with respect to national and community service programs, including service-learning programs; "(7) advise the President and the Congress concerning developments in national and community service that merit the attention of the President and the Congress; "(8) disseminate information regarding the programs and initiatives of the Corporation; and "(9) carry out any other activities determined to be appropriate by the Chairperson.	"(6) receive, and act on, the reports issued by the Inspector General of the Corporation; "(7) make recommendations relating to a program of research for the Corporation with respect to national and community service programs, including service-learning programs; "(8) advise the President of the United States and Congress concerning developments in national and community service that merit the attention of the President of the United States and the Congress; and "(9) ensure the effective dissemination of information regarding the programs and initiatives of the Corporation.	
	"(h) ADMINISTRATION.--The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the Board.	The Senate version, but not the House, exempts the Board from the Federal Advisory Committee Act./
"SEC. 193. CHAIRPERSON AND DIRECTOR. "(a) APPOINTMENT.--The Corporation shall be headed by an individual who shall serve as Chairperson of the Board and as Director of the Corporation, and who shall be appointed by the President, by and with the advice and consent of the Senate. "(b) COMPENSATION.--The Chairperson shall be compensated at the rate provided for level III of the Executive Schedule under section 5314 of title 5, United States Code. "(c) REGULATIONS.--The Chairperson shall prescribe such rules and regulations as are necessary or appropriate to carry out this Act.	"SEC. 193. PRESIDENT. "(a) APPOINTMENT.--The Corporation shall be headed by an individual who shall serve as President of the Corporation, and who shall be appointed by the President of the United States, by and with the advice and consent of the Senate. "(b) COMPENSATION.--The President shall be compensated at the rate provided for level III of the Executive Schedule under section 5314 of title 5, United States Code. "(c) REGULATIONS.--The President shall prescribe such rules and regulations as are necessary or appropriate to carry out this Act.	Under the Senate version, the Corporation is headed by a President, under the House version, by a Chairperson. Other provisions are identical.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"SEC. 193A. AUTHORITIES AND DUTIES OF THE CHAIRPERSON. "(a) GENERAL POWERS AND DUTIES.--The Chairperson shall be responsible for the exercise of the powers and the discharge of the duties of the Corporation that are not reserved to the Board, and shall have authority and control over all personnel of the Corporation. "(b) DUTIES.--In addition to the duties conferred on the Chairperson under any other provision of this Act, the Chairperson shall--"(1) submit a proposal to the Board regarding, and establish, such standards, policies, and procedures, as are necessary or appropriate to carry out this Act; "(2) establish and administer such programs and initiatives as the Chairperson, acting on the recommendation of the Board, may determine to be necessary or appropriate to carry out this Act; "(3) consult with appropriate Federal agencies in administering such programs and initiatives; "(4) on the recommendation of the Board, suspend or terminate payments and positions provided pursuant to the national service laws, in accordance with section 176;	"SEC. 193A. AUTHORITIES AND DUTIES OF THE PRESIDENT. "(a) GENERAL POWERS AND DUTIES.--The President shall be responsible for the exercise of the powers and the discharge of the duties of the Corporation that are not reserved to the Board, and shall have authority and control over all personnel of the Corporation, except as provided in section 194(b)(4). "(b) DUTIES.--In addition to the duties conferred on the President under any other provision of this Act, the President shall--"(1) prepare and submit to the Board a strategic plan every 3 years, and annual updates of the plan, for the Corporation with respect to the major functions and operations of the Corporation; "(2)(A) prepare and submit to the Board a proposal with respect to such grants and allotments, contracts, other financial assistance, and designation of positions as approved national service positions, as are necessary or appropriate to carry out this Act; and	Sets the authorities and duties of the head of the Corporation. There are differences in the drafting. The key substantive differences are: (1) The Senate version states explicitly that the President shall prepare and submit to the Board a proposal with respect to grants; the House version has no such explicit reference, although it is implied. (2) The Senate version requires the President to set measurable program goals; the House version has no explicit requirement in this area, although there is an earlier reference to setting goals. (3) The Senate version states that the report to Congress shall include information on results achieved; the House version has no such explicit requirement./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(5) prepare and submit to the Board an annual report, and such interim reports as may be necessary, describing the major actions of the Chairperson with respect to the personnel of the Corporation, and with respect to such standards, policies, procedures, programs, and initiatives; "(6) notify, and provide an explanation to, the Board regarding any substantial differences between the actions of the Chairperson and the strategic plan described in section 192A(h)(2); and (1), and the money and property referred to in paragraph (2), of section 196(a) that have been accepted by the Corporation;	"(B) after receiving and reviewing an approved proposal under section 192A(g)(2), make such grants and allotments, enter into such contracts, award such other financial assistance, make such payments (in lump sum or installments, and in advance or by way of reimbursement, and in the case of financial assistance otherwise authorized under this Act, with necessary adjustments on account of overpayments and underpayments), and designate such positions as approved national service positions as are necessary or appropriate to carry out this Act; "(3)(A) prepare and submit to the Board a proposal regarding, the regulations established under section 195(a)(4)(B)(i), and such other standards, policies, procedures, programs, and initiatives as are necessary or appropriate to carry out this Act; and	

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(7) prepare and submit to the appropriate committees of Congress an annual report, and such interim reports as may be necessary, describing--"(A) the services referred to in paragraph, and "(B) the manner in which the Corporation used or disposed of such services, money, and property.	"(B) after receiving and reviewing an approved proposal under section 192A(g)(3)-- "(i) establish such standards, policies, and procedures as are necessary or appropriate to carry out this Act; and "(ii) establish and administer such programs and initiatives as are necessary or appropriate to carry out this Act; "(4)(A) prepare and submit to the Board a plan for the evaluation of programs established under this Act; in accordance with section 179; and "(B) after receiving an approved proposal under section 192A(g)(4)-- "(i) establish measurable performance goals and objectives for such programs, in accordance with section 179; and "(ii) provide for periodic evaluation of such programs to assess the manner and extent to which the programs achieve the goals and objectives, in accordance with such section; "(5) consult with appropriate Federal agencies in administering the programs and initiatives; "(6) suspend or terminate payments and positions described in paragraph (2)(B), in accordance with section 176; "(7) prepare and submit to the Board an annual report, and such interim reports as may be necessary, describing the major actions of the President with respect to the personnel of the Corporation, and with respect to such standards, policies, procedures, programs, and initiatives;	

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
	"(8) inform the Board of, and provide an explanation to the Board regarding, any substantial differences between--"(A) the actions of the President; and "(B)(i) the strategic plan approved by the Board under section 192A(g)(1); "(ii) the proposals approved by the Board under paragraph (2) or (3) or section 192A(g); or "(iii) the evaluation plan approved by the Board under section 192A(g)(4); and "(9) prepare and submit to the appropriate committees of Congress an annual report, and such interim reports as may be necessary, describing--"(A) the services referred to in paragraph (1), and the money and property referred to in paragraph (2), of section 196(a) that have been accepted by the Corporation; "(B) the manner in which the Corporation used or disposed of such services, money, and property; and "(C) information on the results achieved by the programs funded under this Act during the year preceding the year in which the report is prepared.	

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(d) DELEGATION.--"(1) DEFINITION.--As used in this subsection, the term 'function' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program. "(2) IN GENERAL.--Except as otherwise prohibited by law or provided in this Act, the Chairperson may delegate any function under this Act, and authorize such successive redelegations of such function as may be necessary or appropriate. No delegation of a function by the Chairperson under this subsection or under any other provision of the Act shall relieve such Chairperson or responsibility for the administration of such function. "(3) FUNCTION OF BOARD.--The Chairperson may not delegate a function of the Board without the permission of the Board. "(e) ACTIONS.--In an action described in subsection (c)(8)-- "(1) a district court referred to in such subsection shall have jurisdiction of such a civil action without regard to the amount in controversy; "(2) such an action brought by the Chairperson shall survive notwithstanding any change in the person occupying the office of Chairperson or any vacancy in that office; "(3) no attachment, injunction, garnishment, or other similar process, mesne or final shall be issued against the Chairperson or the Board or property under the control of the Chairperson or the Board; and "(4) nothing in this section shall be construed to except litigation arising out of activities under this Act from the application of sections 509, 517, 547, and 2679 of title 28, United States Code.	"(d) DELEGATION.--"(1) DEFINITION.--As used in this subsection, the term 'function' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program. "(2) IN GENERAL.--Except as otherwise prohibited by law or provided in this Act, the President may delegate any function under this Act, and authorize such successive redelegations of such function as may be necessary or appropriate. No delegation of a function by the President under this subsection or under any other provision of this Act shall relieve such President of responsibility for the administration of such function. "(3) FUNCTION OF BOARD.--The President may not delegate a function of The Board without the permission of the Board. "(e) ACTIONS.--In an action described in subsection (c)(8)-- "(1) a district court referred to in such subsection shall have jurisdiction of such a civil action without regard to the amount in controversy; "(2) such an action brought by the President shall survive notwithstanding any change in the person occupying the office of President or any vacancy in that office; "(3) no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the President of the Board or property under the control of the President or the Board; and "(4) nothing in this section shall be construed to except litigation arising out of activities under this Act from the application of sections 509, 517, 547, and 2679 of title 28, United States Code.	Sets various requirements related to delegations and civil actions. Identical language except for Senate reference to President and House reference to Chairperson./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"SEC. 194. OFFICERS. "(a) MANAGING DIRECTORS.--"(1) IN GENERAL.--There shall be in the Corporation 2 Managing Directors, who shall be appointed by the President, by and with the advice and consent of the Senate. "(2) COMPENSATION.--The Managing Directors shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code. "(3) DUTIES.--"(A) FEDERAL PROGRAMS.--One of the Managing Directors shall be primarily responsible for the Federal programs carried out by the Corporation. "(B) INVESTMENT PROGRAMS.--The other Managing Director shall be primarily responsible for the financial assistance programs carried out by the Corporation.	"SEC. 194. OFFICERS. "(a) MANAGING DIRECTORS.--"(1) IN GENERAL.--There shall be in the Corporation 2 Managing Directors, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and who shall report to the President. "(2) COMPENSATION.--The Managing Directors shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code. "(3) DUTIES.--"(A) VOLUNTEER SERVICE PROGRAMS.--One of the Managing Directors shall be primarily responsible for the volunteer service programs carried out by the Corporation. "(B) INVESTMENT PROGRAMS.--The other Managing Director shall be primarily responsible for the financial assistance programs carried out by the Corporation.	Requires 2 Managing Directors for the Corporation. Minor differences are: (1) Senate requires that the managing directors report to the President. (2) The Senate refers to the divisions as "volunteer service programs" and "investment programs;" the House refers to "Federal programs" and "investment programs."/

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(b) INSPECTOR GENERAL.--There shall be in the Corporation an Office of Inspector General as provided in section 8E(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.).	"(b) INSPECTOR GENERAL.--"(1) OFFICE.--There shall be in the Corporation an Office of the Inspector General. "(2) APPOINTMENT.--The Office shall be headed by an Inspector General, appointed in accordance with the Inspector General Act of 1978. "(3) COMPENSATION.--The Inspector General shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code. "(4) PERSONNEL.--Notwithstanding paragraphs (7) and (8) of section 6(a) of the Inspector General Act of 1978, the Inspector General may--"(A) appoint and determine the compensation of such officers and employees in accordance with section 195(a)(4); and "(B) procure the temporary and intermittent services of and compensate such experts and consultants, in accordance with section 3109(b) of title 5, United States Code, as may be necessary to carry out the functions, powers, and duties of the Inspector General.	Creates an Office of the Inspector General. The House version specifies that the Office shall be created as provided under the Inspector General Act of 1978, and makes it an Agency appointment; the Senate has it as a PAS appointment (later). The Senate provides specificity concerning personnel and contract authority rather than relying on the IG Act./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(c) CHIEF FINANCIAL OFFICER.--"(1) OFFICE.--There shall be in the Corporation a Chief Financial Officer, who shall be appointed by the President, by and with the advice and consent of the Senate. "(2) COMPENSATION.--The Chief Financial Officer shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code. "(3) DUTIES.--The Chief Financial Officer shall--"(A) report directly to the Chairperson regarding financial management matters; "(B) oversee all financial management activities relating to the programs and operations of the Corporation; "(C) develop and maintain an integrated accounting and financial management system for the Corporation, including financial reporting and internal controls; "(D) develop and maintain any joint financial management systems with the Department of Education necessary to carry out the programs of the Corporation; and "(E) direct, manage, and provide policy guidance and oversight of the financial management personnel, activities, and operations of the Corporation.	"(c) CHIEF FINANCIAL OFFICER.--"(1) OFFICE.--There shall be in the Corporation a Chief Financial Officer, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate. "(2) COMPENSATION.--The Chief Financial Officer shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code. "(3) DUTIES.--The Chief Financial Officer shall--"(A) report directly to the President regarding financial management matters; "(B) oversee all financial management activities relating to the programs and operations of the Corporation; "(C) develop and maintain an integrated accounting and financial management system for the Corporation, including financial reporting and internal controls; "(D) develop and maintain any joint financial management systems with the Department of Education necessary to carry out the programs of the Corporation; and "(E) direct, manage, and provide policy guidance and oversight of the financial management personnel, activities, and operations of the Corporation. "(4) ACCESS.--The Chief Financial Officer shall have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material that are the property of the Corporation or that are available to the Corporation, and that relate to the duties of the Chief Financial Officer with respect to the Corporation.	Requires a Chief Financial Officer for the Corporation. Generally identical provisions, except the Senate version specifies the access of the Officer to information available within the Corporation.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
SEC. 194A. CORPORATION STATE OFFICES. "(a) IN GENERAL.--The Chairperson shall establish and maintain a decentralized field structure which provides for an office of the Corporation for each State which is located in or in reasonable proximity of each such State. Such State office may be directed by the State Corporation representative designated under section 195(b)(1). "(b) DUTIES.--Each State office established pursuant to subsection (a) shall--"(1) provide to the State Commissions established under section 178 technical and other assistance for the development and implementation of State service plans; "(2) provide to community-based agencies and other entities within the State technical assistance for the preparation of applications for assistance under the national service laws, utilizing, as appropriate, information and materials provided by the clearinghouses established pursuant to section 198A; "(3) provide to the State Commission and other entities within the State support and technical assistance necessary to assure that there is an effective system of recruitment, placement, and training of volunteers within the State; "(4) monitor and evaluate the performance of all programs and projects within the State which receive assistance under the national service laws; and "(5) perform such other duties and functions which may be assigned or delegated by the Chairperson.		The House version, but not the Senate, requires an office for the Corporation for each state, including the duties of the office.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PERSONNEL. "(a) EMPLOYEES.--"(1) IN GENERAL.--Except as provided in paragraph (2) and subsections (b) and (c), the Chairperson shall, in accordance with applicable provisions of title 5 of the United States Code, appoint and determine the compensation of such employees as the Chairperson determines to be necessary to carry out the duties of the Corporation.	"SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PERSONNEL.--"(a) EMPLOYEES.--"(1) IN GENERAL.--The President may appoint and determine the compensation of such employees as the President determines to be necessary to carry out the duties of the Corporation. ""(2) CIVIL SERVICE PROTECTIONS.--The provisions of title 5, United States Code, shall apply with respect to the Corporation and the employees of the Corporation except that the President may appoint and determine the compensation of employees under this subsection without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates (other than the provisions described in clauses (iii) and (iv) of paragraph (4)(B)).	Governs the appointments of employees, consultants, and other personnel to the Corporation. Differences are as follows: (1) The Senate version permits general flexibility in appointments to the Corporation, including compensation, while applying the provisions of title 5, United States Code. The House version permits flexibility in appointments and compensation, but requires the Chairperson to designate individual positions which would not be covered by the appointment and compensation requirements of title V [Sec. 195(b)(1)].

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(2) ASSISTANT DIRECTORS FOR VISTA AND NATIONAL SENIOR VOLUNTEER CORPS.--"(A) APPOINTMENT.--The Managing Director primarily responsible for the Federal programs carried out by the Corporation (appointed pursuant to section 194(a)) shall, in accordance with applicable provisions of title 5 of the United States Code, appoint 4 Assistant Directors who shall report directly to such Managing Director, of which--"(i) 1 Assistant Director shall be responsible for parts A and B of title I of the Domestic Volunteer Service Act of 1973 (the Volunteers in Service to America (VISTA) program) and other antipoverty programs under title I of that Act; "(ii) 1 Assistant Director shall be responsible for part A of title II of that Act (relating to the Retired Senior Volunteer Program); "(iii) 1 Assistant Director shall be responsible for part B of title II of that Act (relating to the Foster Grandparent Program); and "(iv) 1 Assistant Director shall be responsible for part C of title II of that Act (relating to the Senior Companion Program). "(B) EFFECTIVE DATE FOR EXERCISE OF AUTHORITY.--Each Assistant Director appointed pursuant to subparagraph (A) may exercise the authority assigned to each such Director only after the effective date of section 203(b) of the National Service Trust Act of 1993.		The House version requires the appointment of four individuals to positions heading VISTA, RSVP, FGP, and SCP. The Senate, in a later section, requires the same.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(b) ALTERNATIVE PERSONNEL SYSTEM.--"(1) AUTHORITY.--To the extent that the Chairperson determines it appropriate and desirable to further the effective operation of the Corporation, the Chairperson may designate positions in the Corporation to which appointments may be made and for which compensation may be determined without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. The Chairperson may provide for appointments to such positions to be made on a limited term basis. "(2) APPOINTMENT IN THE COMPETITIVE SERVICE AFTER EMPLOYMENT UNDER ALTERNATIVE PERSONNEL SYSTEM.--The Director of the Office of Personnel Management may grant competitive status for appointment to the competitive service, under such conditions as the Director may prescribe, to an employee who is appointed under this subsection, and who is separated from the Corporation (other than by removal for cause).	"(3) APPOINTMENT IN THE COMPETITIVE SERVICE AFTER EMPLOYMENT IN THE CORPORATION.--"(A) EMPLOYEES WITH NOT LESS THAN 3 YEARS OF EMPLOYMENT.--If an employee, other than a representative described in subsection (b), is separated from the Corporation (other than by removal for cause), and has been continuously employed by the Corporation for a period of not less than 3 years, such period shall be treated as a period of service in the competitive service for purposes of chapter 33 of title 5, United States Code."(B) EMPLOYEES WITH NOT LESS THAN 1 BUT LESS THAN 3 YEARS OF EMPLOYMENT.--If an employee, other than a representative described in subsection (b), is separated from the Corporation (other than by removal for cause), and has been continuously employed by the Corporation for a period of not less than 1 year, but less than 3 years, such period shall be treated as a period of service in the competitive service for purposes of chapter 33 of title 5, United States Code, until the date that is 3 years after the date of separation. "(C) DEFINITIONS.--As used in this paragraph, the term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code. "(4) APPOINTMENT AND COMPENSATION.--"(A) IN GENERAL.--The Chairperson shall appoint and determine the compensation of employees referred to in paragraph (1), in accordance with the appointment and compensation systems referred to in subparagraph (B).	Governs appointment in the competitive service after employment in the Corporation. The House version allows the Chairperson to set requirements in this area; the Senate version provides detailed requirements based on years of service in the Corporation. The Senate version also defines competitive service.

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"(3) SELECTION AND COMPENSATION SYSTEM.--"(A) ESTABLISHMENT OF SYSTEM.--The Chairperson, after reviewing the recommendations of the Board under section 192A(h)(2), and after obtaining the approval of the Director of the Office of Personnel Management, shall issue regulations establishing a selection and compensation system for employees of the Corporation appointed under paragraph (1). In issuing such regulations, the Chairperson shall take into consideration the need for flexibility in such a system. "(B) APPLICATION.--The Chairperson shall appoint and determine the compensation of employees in accordance with the selection and compensation system established under subparagraph (A). "(C) SELECTION.--The system established under subparagraph (A) shall provide for the selection of employees--"(i) through a competitive process; and "(ii) on the basis of the qualifications of applicants and the requirements of the positions. "(D) COMPENSATION.--The system established under subparagraph (A) shall include a scheme for the classification of positions in the Corporation. The system shall require that the compensation of an employee be determined in part on the basis of the job performance of the employee, and in a manner consistent with the principles described in section 5301 of title 5, United States Code. The rate of compensation for each employee compensated under the system shall not exceed the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.	"(B) CORPORATION APPOINTMENT AND COMPENSATION SYSTEMS.--"(I) ESTABLISHMENT OF SYSTEM.--The President, after reviewing the approved proposal of the Board under section 192A(g)(3) and after obtaining the approval of the Director of the Office of Personnel Management, shall issue regulations establishing appointment and compensation systems for the Corporation. "(ii) CONTENT AND CONSIDERATIONS.--In issuing such regulations, the President shall--"(I) establish appropriate appointment and compensation mechanisms for the representatives described in subsection (b); and "(II) take into consideration the need for flexibility in such a system. "(iii) APPOINTMENT SYSTEM.--The appointment system shall require that the appointment of such an employee be--"(I) on the basis of the qualifications of applicants and the requirements of the position, in accordance with the merit system principles set forth in section 2301(b) of title 5, United States Code; and "(II) through a competitive process. "(iv) COMPENSATION SYSTEM.--"(I) IN GENERAL.--The compensation system shall include a scheme for the classification of positions in the Corporation. The system shall require that the compensation of such an employee be determined based in part on the job performance of the employee, and in a manner consistent with the principles described in 5301 of section title 5, United States Code. "(II) LIMITATION ON EMPLOYEE COMPENSATION.--The rate of compensation for each employee compensated through the system shall not exceed the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of title 5, United States Code.	Defines the selection and compensation system of the Corporation. Key differences are: (1) The Senate version limits the compensation of the Corporation representative in each state to a GS-13 level; the House (in a later section) limits such compensation to a GS-15 level. (2) The Senate version states that an ACTION employee appointed to a position in the Corporation shall be appointed in the competitive service of the Corporation. After the period of employment, the position shall be in the excepted service. The House has no similar requirement, given the transfer of all employees and the requirement to designate individual positions that would remain in the excepted service. (3) There are minor drafting differences throughout the section.

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	"(III) LIMITATION ON COMPENSATION OF REPRESENTATIVE.--The rate of pay for a representative described in subsection (b) shall not exceed the maximum rate of basic pay payable for grade GS-13 of the General Schedule under section 5332 of title 5, United States Code. "(5) RETENTION OF CIVIL SERVICE RIGHTS.--RETENTION OF COMPETITIVE SERVICE RIGHTS.--An individual who--"(i) was an employee of ACTION or the Commission on National and Community Service who served under a permanent appointment on the day before the date of enactment of this subtitle in--"(I) a position in the competitive service; or "(II) a career appointee position in the Senior Executive Service; "(ii) is transferred to the Corporation under section 202(c) or 203(c) of the National and Community Service Trust Act of 1993; and "(iii) accepts a position established under paragraph (4) in the Corporation, shall be appointed to a position in the competitive service of the Corporation.	

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	"(B) DURATION OF POSITION IN COMPETITIVE SERVICE.-During the period of employment of such an employee in a position, the position shall be a position in the competitive service. After such period of employment, the position shall be a position in the excepted service unless the President appoints an individual to such position in accordance with the provisions described in subsection (a)(2). "(C) ESTABLISHMENT OF POSITIONS.--With respect to a position vacancy or a position to be established in the Corporation, the President--"(i) shall select the individual to be appointed to such position in accordance with the regulations promulgated under paragraph (4); "(ii) if the individual to be appointed to the position is an individual described in subparagraph (A), shall establish the position as a position in the competitive service; and "(iii) if the individual to be so appointed is not an individual described in subparagraph (A)--"(I) may establish the position as a position in the excepted service; and	

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	"(II) in an exceptional case in which the individual, immediately prior to accepting the position, served under a permanent appointment in a position described in subclause (I) or (II) of subparagraph (A)(i), may establish the position as a position in the "(D) competitive service, in any case in which an individual described in subparagraph (A) is an employee of the Corporation and is eligible to be appointed to such position. DEFINITIONS.--As used in this paragraph: "(i) COMPETITIVE SERVICE.--The term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code. "(ii) EXCEPTED SERVICE.--The term 'excepted service' has the meaning given the term in section 2103 of title 5, United States Code. "(iii) SENIOR EXECUTIVE SERVICE.--The term 'Senior Executive Service' has the meaning given the term in section 2101a of title 5, United States Code.	

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(c) CORPORATION REPRESENTATIVE IN EACH STATE.--"(1) APPOINTMENT OF REPRESENTATIVE.--The Chairperson shall, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint an employee to serve as the representative of the Corporation for each State or group of States to assist the Corporation in carrying out the activities described in this Act in the State or States. "(2) DUTIES.--The representative appointed under this subsection for a State or group of States shall serve as the liaison between-- "(A) the Corporation and the State Commission that is established in the State or States; and "(B) the Corporation and any subdivision of a State, Indian tribe, public or private nonprofit organization, or institution of higher education, in the State or States, that is awarded a grant under section 121 directly from the Corporation.	"(b) CORPORATION REPRESENTATIVE IN EACH STATE.--"(1) DESIGNATION OF REPRESENTATIVE.--The Corporation shall designate 1 employee of the Corporation for each State or group of States to serve as the representative of the Corporation in the State or States and to assist the Corporation in carrying out the activities described in this Act in the State or States. "(2) DUTIES.--The representative designated under this subsection for a State or group of States shall serve as the liaison between-- "(A) the Corporation and the State Commission that is established in the State or States; "(B) the Corporation and any subdivision of a State, Indian tribe, public or private nonprofit organization, or institution of higher education, in the State or States, that is awarded a grant under section 121 directly from the Corporation; and "(C) the State Commission and the Corporation employee responsible for volunteer service programs in the State, if the employee is not the representative described in paragraph (1) for the State.	Requires a Corporation representative in each state. There are significant drafting differences. The key difference, other than the salary cap difference noted above, is that the House requires that appointments of the representative be outside the competitive service; the Senate has no such absolute requirement.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(3) MEMBER OF STATE COMMISSION.--The representative appointed under this subsection for a State or group of States shall also serve as a voting member of the State Commission established in the State or States. "(4) COMPENSATION.--"(A) IN GENERAL.--The Chairperson may determine the compensation of representatives appointed under this subsection without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates. "(B) LIMITATION ON COMPENSATION.--The rate of compensation for each representative appointed under this subsection shall not exceed the maximum rate of basic pay payable for GS-15 of the General Schedule under section 5332 of title 5, United States Code.	"(3) MEMBER OF STATE COMMISSION.--The representative designated under this subsection for a State or group of States shall also serve as a voting member of the State Commission established in the State or States.	
"(d) CONSULTANTS.--The Chairperson may procure the temporary and intermittent services of experts and consultants and compensate the experts and consultants in accordance with section 3109(b) of title 5, United States Code. "(e) DETAILS OF PERSONNEL.--The head of any Federal department or agency may detail on a reimbursable basis, or on a nonreimbursable basis for not to exceed 180 calendar days during any fiscal year, as agreed upon by the Chairperson and the head of the Federal agency, any of the personnel of that department or agency to the Corporation to assist the Corporation in carrying out the duties of the Corporation under this Act. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.	"(c) CONSULTANTS.--The President may procure the temporary and intermittent services of experts and consultants and compensate the experts and consultants in accordance with section 3109(b) of title 5, United States Code. "(d) DETAILS OF PERSONNEL.--The head of any Federal department or agency may detail on a reimbursable basis, or on a nonreimbursable basis for not to exceed 180 calendar days during any fiscal year, as agreed upon by the President and the head of the Federal agency, any of the personnel of that department or agency to the Corporation to assist the Corporation in carrying out the duties of the Corporation under this Act. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.	Sets the criteria for consultants, details, and advisory committees. There are minor drafting differences with respect to Chairperson vs. President and various section references. The only substantive difference is the salary cap for consultants -- GS-15 in House and GS-13 in Senate.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(f) ADVISORY COMMITTEES.--"(1) ESTABLISHMENT.--The Chairperson, acting upon the recommendation of the Board, may establish advisory committees in the Corporation to advise the Board with respect to national service issues, such as the type of programs to be established or assisted under the national service laws, priorities and criteria for such programs, and methods of conducting outreach for, and evaluation of, such programs. "(2) COMPOSITION.--Such an advisory committee shall be composed of members appointed by the Chairperson, with such qualifications as the Chairperson may specify. "(3) EXPENSES.--Members of such an advisory committee may be allowed travel expenses as described in section 192A(e). "(4) STAFF.--The Chairperson is authorized to appoint and fix the compensation of such staff as the Chairperson determines to be necessary to carry out the functions of the advisory committee, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. Such compensation shall not exceed the maximum rate of basic pay payable for GS-15 of the General Schedule under section 5332 of title 5, United States Code.	"(e) ADVISORY COMMITTEES.--"(1) ESTABLISHMENT.--The President, acting upon the recommendation of the Board, may establish advisory committees in the Corporation to advise the Board with respect to national service issues, such as the type of programs to be established or assisted under the national service laws, priorities and criteria for such programs, and methods of conducting outreach for, and evaluation of, such programs. "(2) COMPOSITION.--Such an advisory committee shall be composed of members appointed by the President, with such qualifications as the President may specify. "(3) EXPENSES.--Members of such an advisory committee may be allowed travel expenses as described in section 192A(d). "(4) STAFF.--The President is authorized to appoint and fix the compensation of such staff as the President determines to be necessary to carry out the functions of the advisory committee, in accordance with subsection (a)(2), and without regard to the selection and compensation systems described in subsection (a)(4)(B). Such compensation shall not exceed the rate described in subsection (a)(4)(B)(iv)(III).	

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
SEC. 196. ADMINISTRATION. "(a) DONATIONS.-- "(1) SERVICES.--"(A) VOLUNTEERS.-- Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the voluntary services of individuals to assist the Corporation in carrying out the duties of the Corporation under this Act, and may provide to such individuals the travel expenses as described in section 192A(e). "(B) LIMITATION.--Such a volunteer shall not be considered to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, except that for the purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation of Federal employees for work injuries, volunteers under this subtitle shall be considered to be employees, as defined in section 8101(1)(B) of title 5, United States Code, and the provisions of such subchapter shall apply.	"SEC. 196. ADMINISTRATION. "(a) DONATIONS.-- "(1) SERVICES.--"(A) VOLUNTEERS.-- Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the voluntary services of individuals to assist the Corporation in carrying out the duties of the Corporation under this Act, and may provide to such individuals the travel expenses described in 192A(d). "(B) LIMITATION.--Such a volunteer shall not be considered to be a Federal employee and shall not be subject to the provisions of law relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, except that--"(i) for the purposes of the tort claims provisions of chapter 171 of title 28, United States Code, a volunteer under this subtitle shall be considered to be a Federal employee; and "(ii) for the purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, volunteers under this subtitle shall be considered to be employees, as defined in section 8101(1)(B) of title 5, United States Code, and the provisions of such subchapter shall apply.	Sets various administrative requirements, including the ability to use volunteers and to accept gifts. Differences are: (1) Senate version states that the volunteer should be considered a federal employee for the purposes of the tort claims provisions of chapter 171 of title 28; the House has no such reference. (2) The Senate version states that volunteers cannot perform inherently governmental functions; the House has no such requirement [implied]. (3) The Senate, but not the House, defines the tax treatment of any gifts./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(C) VOLUNTEER DEFINED.--For purposes of this paragraph, the term 'volunteer' does not include a participant. "(2) PROPERTY.--"(A) SOLICITATION AND ACCEPTANCE AUTHORIZED.--The Corporation may solicit, accept, hold, administer, use, and dispose of, in furtherance of the purposes of this Act, donations of any money or property, real, personal, or mixed, tangible and intangible, received by gift, devise, bequest, or otherwise. Donations accepted under this subparagraph shall be used as nearly as possibly in accordance with the terms, if any, of such donation. "	"(C) INHERENTLY GOVERNMENTAL FUNCTION.--"(i) IN GENERAL.--Such a volunteer shall not carry out an inherently governmental function. "(ii) REGULATIONS.--The President shall promulgate regulations to carry out this subparagraph. "(iii) INHERENTLY GOVERNMENTAL FUNCTION.--As used in this subparagraph, the term 'inherently governmental function' means any activity that is so intimately related to the public interest as to mandate the performance by an officer or employee of the Federal Government, including an activity that requires either the exercise of discretion in applying the authority of the Government or the use of value judgment in making a decision for the Government.	

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(B) STATUS OF CONTRIBUTION.--Any donation accepted under subparagraph (A) shall be considered to be a gift, devise, or bequest to, or for the use of, the United States. "(C) RULES.--The Corporation shall establish written rules to ensure that the solicitation, acceptance, holding, administration, and use of donations described in subparagraph (A)--"(i) will not reflect unfavorably upon the ability of the Corporation, or of any officer or employee of the Corporation, to carry out the responsibilities or official duties of the Corporation in a fair and objective manner; and "(ii) will not compromise the integrity of the programs of the Corporation or any official or employee of the Corporation involved in such programs.	"(2) PROPERTY.--"(A) IN GENERAL.--The Corporation may solicit, accept, hold, administer, use, and dispose of, in furtherance of the purposes of this Act, donations of any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise. Donations accepted under this subparagraph shall be used as nearly as possible in accordance with the terms, if any, of such donation. "(B) TAX.--For purposes of Federal income, estate, and gift taxes, money or property accepted under subparagraph (A) shall be considered to be a gift, devise, or bequest to, or for the use of, the United States. "(C) RULES.--The President shall establish written rules to ensure that the solicitation, acceptance, holding, administration, and use of property described in subparagraph (A)--(i) will not reflect unfavorably upon the ability of the Corporation, or of any officer or employee of the Corporation, to carry out the responsibilities or official duties of the Corporation in a fair and objective manner; and "(ii) will not compromise the integrity of the programs of the Corporation or any official or employee of the Corporation involved in such programs.	

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(D) DISPOSITION.--Upon completion of the use by the Corporation of any donation accepted pursuant to subparagraph (A) (other than money or monetary proceeds from sales of property accepted), such completion shall be reported to the General Services Administration and such property shall be disposed of in accordance with title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.).	"(D) DISPOSITION.--Upon completion of the use by the Corporation of any property accepted pursuant to subparagraph (A) (other than money or monetary proceeds from sales of property so accepted), such completion shall be reported to the General Services Administration and such property shall be disposed of in accordance with title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.). "(3) VOLUNTEER.--As used in this subsection, the term 'volunteer' does not include a participant.	
"(b) CONTRACTS.--Subject to the Federal Property and Administrative Act of 1949, the Corporation may enter into contracts, and cooperative and interagency agreements, with Federal and State agencies, private firms, institutions, and individuals to conduct activities necessary to carry out the duties of the Corporation under this Act.". (b) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.--Section 401 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5041) is amended by inserting after the second sentence the following: "The Director shall report directly to the Chairperson of the Corporation for National Service.".	"(b) CONTRACTS.--Subject to the Federal Property and Administrative Services Act of 1949, the Corporation may enter into contracts, and cooperative and interagency agreements, with Federal and state agencies, private firms, institutions, and individuals to conduct activities necessary to assist the Corporation in carrying out the duties of the Corporation under this Act. "(c) OFFICE OF MANAGEMENT AND BUDGET.--Appropriate circulars of the Office of Management and Budget shall apply to the Corporation.". (b) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.--Section 401 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5041) is amended by inserting after the second sentence the following: "The Director shall report directly to the President of the Corporation for National and Community Service.".	Sets additional administrative and reporting requirements. Differences are: (1) S. 919, but not H.R. 2010, states that appropriate OMB Circulars shall apply to the Corporation. (2) Language reflects difference in President vs. Chairperson./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
(c) TRANSFER OF FUNCTIONS OF COMMISSION ON NATIONAL AND COMMUNITY SERVICE.--(1) DEFINITIONS.--For purposes of this subsection, unless otherwise provided or indicated by the context, each term specified in section 203(c)(1) shall have the meaning given the term in such section. (2) TRANSFER OF FUNCTIONS.--There are transferred to the Corporation the functions that the Board of Directors or Executive Director of the Commission on National and Community Service exercised before the effective date of this subsection (including all related functions of any officer or employee of the Commission). (3) APPLICATION.--The provisions of paragraphs (3) through (10) of section 203(c) shall apply with respect to the transfer described in paragraph (3), except that, (A) for purposes of such application, references to the term "ACTION Agency" shall be deemed to be references to the Corporation; and (B) paragraph (10) of such section shall not preclude the transfer of the members of the Board of Directors of the Commission to the Corporation if, on the effective date of this subsection, the Board of Directors of the Corporation has not been confirmed.	(c) TRANSFER OF FUNCTIONS OF COMMISSION ON NATIONAL AND COMMUNITY SERVICE.--(1) DEFINITIONS.--For purposes of this subsection, unless otherwise provided or indicated by the context, each term specified in section 203(c)(1) shall have the meaning given the term in such section. (2) TRANSFER OF FUNCTIONS.--There are transferred to the Corporation the functions that the Board of Directors or the Executive Director of the Commission on National and Community Service exercised before the effective date of this subsection (including all related functions of any officer or employee of the Commission). (3) APPLICATION.--The provisions of paragraphs (3) through (10) of section 203(c) shall apply with respect to the transfer described in paragraph (2), except that--"(A) for purposes of such application, references to the term "ACTION Agency" shall be deemed to be references to the Commission on National and Community Service; and (B) paragraph (10) of such section shall not preclude the transfer of the members of the Board of Directors of the Commission to the Corporation if, on the effective date of this subsection, the Board of Directors of the Corporation has not been confirmed.	Transfers functions of the Commission on National and Community Service to the Corporation. Identical language except under (c)(3)(A) where the Senate version deems references to the term ACTION Agency to be references to the "Commission on National and Community Service" while the House version deems such a reference to be to the "Corporation."/

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
(d) CONTINUING PERFORMANCE OF CERTAIN FUNCTIONS.--The individuals who, on the day before the date of enactment of this Act, are performing any of the functions required by section 190 of the National and Community Service Act of 1990 (42 U.S.C. 12651), as in effect on such date, to be performed by the members of the Board of Directors of the Commission on National and Community Service may, subject to section 193 of the National and Community Service Act of 1990, as added by subsection (a) of this section, continue to perform such functions until the date on the Board of Directors of the Corporation for National Service conducts the first meeting of the Board. The service of such individuals as members of the Board of Directors of such Commission, and the employment of such individuals as special government employees, shall terminate on such date.	(d) CONTINUING PERFORMANCE OF CERTAIN FUNCTIONS.--The individuals who, on the day before the date of enactment of this Act, are performing any of the functions required by section 190 of the National and Community Service Act of 1990 (42 U.S.C. 12651), as in effect on such date, to be performed by the members of the Board of Directors of the Commission on National and Community Service, may, subject to section 193A of the National and Community Service Act of 1990, as added by subsection (a) of this section, continue to perform such functions until the date on the Board of Directors of the Corporation for National and Community Service conducts the first meeting of the Board. The service of such individuals as members of the Board of Directors of such Commission, and the employment of such individuals as special government employees, shall terminate on such date. (e) JOB SEARCH ASSISTANCE.--The President of the Corporation shall establish a program to provide, or shall seek to enter into a memorandum of understanding with the Director of the Office of Personnel Management to provide, job search and related assistance to employees of the ACTION Agency who are not transferred to the Corporation for National and Community Service under section 203(c). The President of the Corporation shall make available funds appropriated under section (501)(a)(2) of the National and Community Service Act of 1990 in order to provide such assistance. as being needed for national service activities.	Sets procedures for continuing the performance of certain functions. Difference is that the Senate version (e) specifies that job search assistance should be provided to employees of ACTION who are not transferred to the Corporation. The House has no such provision (as all functions are transferred under H.R. 2010)./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
(e) GOVERNMENT CORPORATION CONTROL.--(1) WHOLLY OWNED GOVERNMENT CORPORATION.--Section 9101(3) of title 31, United States Code is amended by inserting after subparagraph (D) the following: "(E) the Corporation for National Service.". (2) AUDITS.--Section is amended by inserting ", or under other Federal law," before "or by an independent". (f) DISPOSAL OF PROPERTY.--Section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) is amended by adding at the end the following: "(5)(A) Under such regulations as the Administrator may prescribe, the Administrator is authorized, in the discretion of the Administrator, to assign to the Chairperson of the Corporation for National and Community Service for disposal of such surplus property as is recommended by the Chairperson as being needed for national service activities. "(B) Subject to the disapproval of the Administrator, within 30 days after notice to the Administrator by the Chairperson of a proposed transfer of property for such activities, the Chairperson, through such officers or employees of the Corporation as the Chairperson may designate, may sell, lease, or donate such property to any entity that receives financial assistance under the National and Community Service Act of 1990 for such activities. "(C) In fixing the sale or lease value of such property, the Chairperson shall comply with the requirements of paragraph (1)(C).".	(f) GOVERNMENT CORPORATION CONTROL.--(1) WHOLLY OWNED GOVERNMENT CORPORATION.--Section 9101(3) of title 31, United States Code, is amended by adding after subparagraph (D) the following: "(E) the Corporation for National and Community Service.". (2) AUDITS.--Section 9105(a)(1) of title 31, United States Code, is amended by inserting ", or under other Federal law," before "or by an independent". (g) DISPOSAL OF PROPERTY.--Section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) is amended by adding at the end the following: "(5)(A) Under such regulations as the Administrator may prescribe, the Administrator is authorized, in the discretion of the Administrator, to assign to the President of the Corporation for National and Community Service for disposal such surplus property as is recommended by the President as being needed for national service activities. "(B) Subject to the disapproval of the Administrator, within 30 days after notice to the Administrator by the President of the Corporation for National and Community Service of a proposed transfer of property for such activities, the President, through such officers or employees of the Corporation as the President may designate, may sell, lease, or donate such property to any entity that receives financial assistance under the National and Community Service Act of 1990 for such activities. "(C) In fixing the sale or lease value of such property, the President of the Corporation for National and Community Service shall comply with the requirements of paragraph (1)(C).".	Defines the Corporation and sets procedures for disposal of property. Identical language except for differences in references to title of the Corporation and the key position within the Corporation./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
	(h) INSPECTOR GENERAL.--Section 11 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended--(1) in paragraph (1), by inserting "; the Board of Directors for the Corporation for National and Community Service;" after "Thrift Depositor Protection Oversight Board"; and (2) in paragraph (2), by inserting ", the Corporation for National and Community Service," after "United States Information Agency".	Senate version amends the Inspector General Act, no similar House provision./
(g) TABLE OF CONTENTS.--Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the items relating to subtitle G of title 1 of such Act and inserting the following: "Subtitle G-- Corporation for National Service. "Sec. 191. Corporation for National Service. "Sec. 192. Board of Directors. "Sec. 192A. Authorities and duties of the Board of Directors. "Sec. 193. Chairperson and Director. "Sec. 193A. Authorities and duties of the Chairperson. "Sec. 194. Officers. "Sec. 194A. Corporation State Officers. "Sec. 195. Employees, consultants, and other personnel. "Sec. 196. Administration.". (h) EFFECTIVE DATES.--(1) IN GENERAL.--Except as provided in paragraph (2), the amendments made by this section shall take effect on October 1, 1993. (2) ESTABLISHMENT AND APPOINTMENT AUTHORITIES.-- Sections 191, 192, and 193 of the National and Community Service Act of 1990, as added by subsection (a), shall take effect on the date of enactment of this Act.	(i) TABLE OF CONTENTS.--Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 State. 3127) is amended by striking the items relating to subtitle G of title I of such Act and inserting the following: "Subtitle G-- Corporation for National and Community Service. "Sec. 191. Corporation for National and Community Service. "Sec. 192. Board of Directors. "Sec. 192A Authorities and duties of the Board of Directors. "Sec. 193. President. "Sec. 193A. Authorities and duties of the President. "Sec. 194. Officers. "Sec. 195. Employees, consultants, and other personnel. "Sec. 196. Administration. (j) EFFECTIVE DATES. (1) IN GENERAL.--Except as provided in paragraph (2), the amendments made by this section shall take effect on October 1, 1993. (2) ESTABLISHMENT AND APPOINTMENT AUTHORITIES.-- Sections 191, 192, and 193 of the National and Community Service Act of 1990, as added by subsection (a), shall take effect on the date of enactment of this Act.	Table of contents and effective date. Identical except for differences in references to title of the Corporation and the key position within the Corporation./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR NATIONAL SERVICE. (a) NATIONAL AND COMMUNITY SERVICE ACT OF 1990. (1) APPLICATION.--Subtitle I of the National and Community Service Act of 1990 (as amended by section 202 of this Act) is amended in section 191, paragraphs (3) and (5) of section 192A(h), section 193(c), subsections (b), (c) (other than paragraph (8)), and (d) of section 193A, subsections (c) and (e) of section 195, and subsections (a) and (b) of section 196, by striking "this Act" each place the term appears and inserting "the national service laws". (2) GRANTS.--Section 192A(h) of the National and Community Service Act of 1990 (as added by section 202 of this Act) is amended--(A) by striking "and" at the end of paragraph (8); (B) by redesignating paragraph (9) as paragraph (10); and (C) by inserting after paragraph (8) the following: "(9) notwithstanding any other provision of law, make grants to or contracts with federal or other public departments or agencies and private nonprofit organizations for the assignment or referral of volunteers under the provisions of the Domestic Volunteer Act of 1973 (except as provided in section 108 of the Domestic Volunteer Act of 1973), which may provide that the agency or organization shall pay all or a part of the costs of the program; and ". (b) AUTHORITIES OF ACTION AGENCY.--Sections 401 and 402 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5041 and 5042) are repealed.	SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE. (a) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.--(1) APPLICATION.--Subtitle I of the National and Community Service Act of 1990 (as amended by section 202 of this Act) is amended in section 191, section 192A(g)(5), section 193(c), subsections (b), (c) (other than paragraph (8)), and (d) of section 193A subsections (b) and (c) of section 195, and subsections (a) and (b) of section 196, by striking "this Act" each place the term appears and inserting "the national service laws". (2) GRANTS.--Section 192A(g) of the National and Community Service Act of 1990 (as added by section 202 of this Act) is amended--(A) by striking "and" at the end of paragraph (9); (B) by redesignating paragraph (10) as paragraph (11); and (C) by inserting after paragraph (9) the following: "(10) notwithstanding any other provision of law, make grants to or contracts with Federal or other public departments or agencies and private nonprofit organizations for the assignment or referral of volunteers under the provisions of the Domestic Volunteer Service Act of 1973 (except as provided in section 108 of the Domestic Volunteer Service Act of 1973), which may provide that the agency or organization shall pay all or part of the costs of the program; and".	Amends the National and Community Service Act. Identical language except for differences in subsections referenced as being amended./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
[See language in Section 195(a)(2).]	(3) ASSISTANT DIRECTORS.--Section 194 of the National and Community Service Act of 1990 (as added by section 202 of this Act) is amended by adding at the end the following: "(d) ASSISTANT DIRECTORS.--"(1) IN GENERAL.--There shall be in the Corporation four Assistant Directors, each of whom shall be appointed by the President, and who shall report directly to the Managing Director described in subsection (a)(3)(A). "(2) DUTIES.--"(A) VISTA AND OTHER ANTIPOVERTY PROGRAMS.--One of the Assistant Directors shall be primarily responsible for the VISTA and other antipoverty programs under title I of the Domestic Volunteer Service Act of 1973. "(B) RETIRED AND SENIOR VOLUNTEER PROGRAMS.--One of the Assistant Directors shall be primarily responsible for the Retired and Senior Volunteer Program established under part A of title II of such Act. "(C) FOSTER GRANDPARENT PROGRAM.--One of the Assistant Directors shall be primarily responsible for the Foster Grandparent Program established under part B of title II of such Act. "(D) SENIOR COMPANION PROGRAM.--One of the Assistant Directors shall be primarily responsible for the Senior Companion Program as established under part C of title II of such Act." (b) AUTHORITIES OF ACTION AGENCY.--Sections 401 and 402 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5041 and 5042) are repealed.	Senate version requires four Assistant Directors to be appointed by the President, for VISTA, RSVP, FGP, and SCP. House version, under earlier section requires identical appointments.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
(c) TRANSFER OF FUNCTIONS FROM ACTION AGENCY.--(1) DEFINITIONS.--For purposes of this subsection, unless otherwise provided or indicated by the context--(A) the term "Chairperson" means the Chairperson of the Corporation; (B) the term "Corporation" means the Corporation for National Service, established under section 191 of the National and Community Service Act of 1990; (C) the term "Federal agency" has the meaning given to the term "agency" by section 551(1) of title 5, United States Code; (D) the term "function" means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program; and (E) the term "office" includes any office, administration, agency, institute, unit, organizational entity, or component thereof. (2) TRANSFER OF FUNCTIONS.--There are transferred to the Corporation the functions that the Director of the ACTION Agency exercised before the effective date of this subsection (including all related functions of any officer or employee of the ACTION Agency).	(c) TRANSFER OF FUNCTIONS FROM ACTION AGENCY.--(1) DEFINITIONS.--For purposes of this subsection, unless otherwise provided or indicated by the context--(A) the term "Corporation" means the Corporation for National and Community Service, established under section 191 of the National and Community Service Act of 1990; (B) the term "Federal agency" has the meaning given to the term "agency" by section 551(1) of title 5, United States Code; (C) the term "function" means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program; (D) the term "office" includes any office, administration, agency, institute, unit, organizational entity, or component thereof; and (E) the term "President", except as used as part of the term "President of the United States," means the President of the Corporation. (2) TRANSFER OF FUNCTIONS.--There are transferred to the Corporation such functions as the President of the United States determines to be appropriate that the Director of the ACTION Agency exercised before the effective date of this subsection (including all related functions of any officer or employee of the ACTION Agency).	Transfers functions from ACTION to the Corporation. Differences are: (1) Definitions reflect different titles of both the Corporation and the chief officer in respective bills. (2) H.R. 2010 transfers "the functions that the Director of the ACTION agency exercised...."; S. 919 transfers "such functions as the President of the United States determines to be appropriate." (3) Under the Senate bill, the President of the Corporation must notify Congress prior to any allocation or reallocation of functions transferred. The House bill has no notice requirement.

H. R. 2019 Provision	S. 919 Provision	Explanation/Recommendation
(3) DETERMINATIONS OF CERTAIN FUNCTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.--If necessary, the Office of Management and Budget shall make any determination of the functions that are transferred under paragraph (2). (4) REORGANIZATION.--The Chairperson is authorized to allocate or reallocate any function transferred under paragraph (2) among the officers of the Corporation.	(3) DETERMINATION OF CERTAIN FUNCTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.--The President of the United States may delegate to the Director of the Office of Management and Budget the authority to make any determination of the functions that are transferred under paragraph (2), if the President determines that such a delegation would be appropriate. (4) REORGANIZATION.--The President is authorized to allocate or reallocate any function transferred under paragraph (2) among the officers of the Corporation, after providing notice of the allocation or reallocation to Congress.	
(5) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.--Except as otherwise provided in this subsection, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred by this subsection, subject to section 1531 of title 31, United States Code, shall be transferred to the Corporation. Unexpended funds transferred pursuant to this paragraph shall be used only for the purposes for which the funds were originally authorized and appropriated.	(5) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.--Except as otherwise provided in this subsection, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred by this subsection, subject to section 1531 of title 31, United States Code, shall be transferred to the Corporation. Unexpended funds transferred pursuant to this paragraph shall be used only for the purposes for which the funds were originally authorized and appropriated.	Provision governs the transfer of appropriations of personnel, including incidental transfer. Identical language in subsection (c)(5). Concerning incidental transfer, there are minor drafting differences, but the effect of the two versions is identical.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
(6) INCIDENTAL TRANSFER.--The Director of the Office of Management and Budget, at such time or times as the Director shall provide, is authorized to make such determinations as may be necessary with regard to the functions transferred by this subsection, and to make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this subsection. The Director of the Office of Management and Budget shall provide for the termination of the affairs of all entities terminated by this subsection and for such further measures and dispositions as may be necessary to effectuate the purposes of this subsection.	(6) INCIDENTAL TRANSFER.--The Director of the Office of Management and Budget is authorized to make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this subsection. The Director for the Office of Management and Budget shall provide for the termination of the affairs of all entities terminated by this subsection and for such further measures and dispositions as may be necessary to effectuate the purposes of this subsection.	
(7) EFFECT ON PERSONNEL.--(A) IN GENERAL.--Except as otherwise provided in this subsection, the transfer pursuant to this subsection of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall be to positions in the Corporation subject to section 195(a)(1) of the National and Community Service Act of 1990, as added by section 202(a) of this Act, and shall not cause any such employee to be separated or reduced in grade or compensation, or to have the benefits of the employee reduced, for 1 year after the date of transfer of such employee under this subsection, and such transfer shall be deemed to be a transfer of functions for purposes of section 3503 of title 5 of the United States Code.	(7) EFFECT ON PERSONNEL.--(A) IN GENERAL.--Except as otherwise provided by this subsection, the transfer pursuant to this subsection of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation, or to have the benefits of the employee reduced, for 1 year after the date of transfer of such employee under this subsection.	States the effect of any transfer on personnel, including certain rights for 1 year after the transfer. Differences are: (1) H.R. 2010 states that the transfer is a transfer of function under title 5; S. 919 does not make this statement. (2) H.R. 2010 has language stating that the transfer is to positions in the Corporation subject to certain requirements; S. 919 does not have this statement.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
(B) EXECUTIVE SCHEDULE POSITIONS.--Except as otherwise provided in this subsection, any person who, on the day preceding the effective date of this subsection, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed to the Corporation to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position. (C) TERMINATION OF CERTAIN POSITIONS.--Positions whose incumbents are appointed by the President, by and with the advice and consent of the Senate, the functions of which are transferred by this subsection, shall terminate on the effective date of this subsection.	(B) EXECUTIVE SCHEDULE POSITIONS.--Except as otherwise provided in this subsection, any person who, on the day preceding the effective date of this subsection, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Corporation to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position. (C) TERMINATION OF CERTAIN POSITIONS.--Positions whose incumbents are appointed by the President of the United States, by and with the advice and consent of the Senate, the functions of which are transferred by this subsection, shall terminate on the effective date of this subsection.	Provisions govern the transfer of executive schedule positions and the termination of certain positions./Identical language.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
(8) SAVINGS PROVISIONS.--(A) CONTINUING EFFECT OF LEGAL DOCUMENTS.--All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions--(i) that have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions that are transferred under this subsection; and (ii) that are in effect at the time this subsection takes effect, or were final before the effective date of this subsection are to become effective on or after the effective date of this subsection, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Chairperson, or other authorized official, a court of competent jurisdiction, or by operation of law.	(8) SAVINGS PROVISIONS.--(A) CONTINUING EFFECT OF LEGAL DOCUMENTS.--All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions--(i) that have been issued, made, granted, or allowed to become effective by the President of the United States, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions that are transferred under this subsection; and (ii) that are in effect at the time this subsection takes effect, or were final before the effective date of this subsection and are to become effective on or after the effective date of this subsection, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President of the United States, the President of the Corporation, or other authorized official, a court of competent jurisdiction, or by operation of law.	Governs the effect of the transfer on legal documents and proceedings. Identical language except for references to chief official in the Corporation. Also, under (B)(A), House version combines in one sentence what are the first two sentences in the Senate version.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
(B) PROCEEDINGS NOT AFFECTED.--The provisions of this subsection shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before the ACTION Agency at the time this subsection takes effect, with respect to the functions transferred by this subsection but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this subsection had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subparagraph shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this subsection had not been enacted.	(B) PROCEEDINGS NOT AFFECTED.--The provisions of this subsection shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before the ACTION Agency at the time this subsection takes effect, with respect to functions transferred by this subsection. Such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this subsection had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subparagraph shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this subsection had not been enacted.	

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
(C) SUITS NOT AFFECTED.--The provisions of this subsection shall not affect suits commenced before the effective date of this subsection, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this subsection had not been enacted. (D) NONABATEMENT OF ACTIONS.--No suit, action, or other proceeding commenced by or against the ACTION Agency, or by or against any individual in the official capacity of such individual as an officer of the ACTION Agency, shall abate by reason of the enactment of this subsection. (E) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.--Any administrative action relating to the preparation or promulgation of a regulation by the ACTION Agency relating to a function transferred under this subsection may be continued by the Corporation with the same effect as if this subsection had not been enacted.	(C) SUITS NOT AFFECTED.--The provisions of this subsection shall not affect suits commenced before the effective date of this subsection, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this subsection had not been enacted. (D) NONABATEMENT OF ACTIONS.--No suite, action, or other proceeding commenced by or against the ACTION Agency, or by or against any individual as an officer of the ACTION Agency, shall abate by reason of the enactment of this subsection. (E) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.--Any administrative action relating to the preparation or promulgation of a regulation by the ACTION Agency relating to a function transferred under this subsection may be continued by the Corporation with the same effect as if this subsection had not been enacted.	Governs the impact of the transfer on suits, other legal actions, and administrative actions./Identical language.
(9) SEVERABILITY.--If a provision of this subsection or its application to any person or circumstance is held invalid, neither the remainder of this subsection nor the application of the provision to other persons or circumstances shall be affected. (10) TRANSITION.--Prior to, or after, any transfer of a function under this subsection, the Chairperson is authorized to utilize--(A) the services of such officers, employees, and other personnel of the ACTION Agency with respect to functions that will be or have been transferred to the Corporation by this subsection; and (B) funds appropriated to such functions for such period time as may reasonably be needed to facilitate the orderly implementation of this subsection.	(9) SEVERABILITY.--If a provision of this subsection or its application to any person or circumstance is held invalid, neither the remainder of this subsection nor the application of the provision to other persons or circumstances shall be affected. (10) TRANSITION.--Prior to, or after, any transfer of a function under this subsection, the President is authorized to utilize--(A) the services of such officers, employees, and other personnel of the ACTION Agency with respect to functions that will be or have been transferred to the Corporation by this subsection; and (B) funds appropriated to such functions for such period of time as may reasonable be needed to facilitate the orderly implementation of this subsection.	

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
	(d) DEVELOPMENT OF TRANSFER SCHEDULE.--The President of the Corporation for National and Community Service in consultation with the Director of ACTION, shall, not later than 9 months after the date of enactment of this Act, prepare a schedule that specifies the date on which the employees of ACTION will be notified about--(1) whether their functions will be transferred to the Corporation; and (2) if such functions will be transferred, the date on which the transfer will occur. (e) APPOINTMENT OF ACTION EMPLOYEES.--During the period beginning October 1, 1993 and ending on the effective date of subsection (c)(2), in making appointments to the Corporation under the appointment system described in section 195(a)(4)(B)(iii) of the National and Community Service Act of 1990, the President of the Corporation for National and Community Service shall ensure that individuals who are employees of ACTION shall receive fair and equitable treatment.	S. 919, but not H.R. 2010, requires the President of the Corporation to prepare a schedule for the transfer of functions and inform ACTION employees. Also, the provision requires fair and equitable treatment of ACTION employees in making appointments to the Corporation. [H.R. 2010 transfers all functions.]/
(d) EFFECTIVE DATE.--(1) IN GENERAL.--Except as provided in paragraph (2), this section, and the amendments made by this section, shall take effect--(A) 18 months after the date of enactment of this Act; or (B) on such earlier date as the President shall determine to be appropriate and announce by proclamation published in the Federal Register. (2) TRANSITION.--Subsection (c)(10) shall take effect on the date of enactment of this Act.	(f) EFFECTIVE DATE.--(1) IN GENERAL.--Except as provided in paragraph (2), this section, and the amendments made by this section, shall take effect--(A) 18 months after the date of enactment of this Act; or (B) on such earlier date (which shall not be earlier than 12 months after the date of the enactment of this Act) as the President of the United States shall determine to be appropriate and announce by proclamation published in the Federal Register. (2) TRANSITION.--Subsections (c)(10), (d), and (e) shall take effect on the date of enactment of this Act.	Establishes effective date of the transfer. Difference is that the Senate version specifies that the earliest date shall be not earlier than 12 months after enactment of the legislation. Also, the two versions reference different subsections that take effect during transition, reflecting the above differences in the two bills.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
TITLE III--REAUTHORIZATION Subtitle A-- National and Community Service Act of 1990. SEC. 301. AUTHORIZATION OF APPROPRIATIONS. Section 501 of the National and Community Service Act of 1990 (42 U.S.C. 12681) is amended to read as follows: "SEC. 501. AUTHORIZATION OF APPROPRIATIONS. "(a) TITLE I.--"(1) SUBTITLE B.--There are authorized to be appropriated to provide financial assistance under subtitle B of title I \$45,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1996. "(2) SUBTITLES C, D, AND H.--There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, \$389,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1996. Of the funds appropriated under this paragraph for a fiscal year, not more than 15 percent of such funds may be made available to provide financial assistance for activities in subtitle H, section 125, or section 126.	TITLE III--REAUTHORIZATION. Subtitle A-- National and Community Service Act of 1990. SEC. 301. AUTHORIZATION OF APPROPRIATIONS. Section 501 of the National and Community Service Act of 1990 (42 U.S.C. 12681) is amended to read as follows: "SEC 501. AUTHORIZATION OF APPROPRIATIONS. "(a) TITLE I.--"(1) SUBTITLES B, C, D, AND H.--"(A) IN GENERAL.--There are authorized to be appropriated to provide financial assistance under subtitles B, C, and H of title I, and to provide national service educational awards under subtitle D of title I, \$434,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998. "(B) SPECIFIC ACTIVITIES.--Of the funds appropriated under this paragraph for a fiscal year--"(i) not less than a sum equal to the greater of "(I) 11 percent of such funds; and "(I) the amount appropriated to carry out subtitle B of title I for fiscal year 1993, shall be made available to provide financial assistance under subtitle B of title I; and "(ii) of the amount remaining after the sum described in clause (i), not more than 15 percent of such remainder may be made available to provide financial assistance for activities in subtitle H of title I, section 125, or section 126.	Provides for authorizations of appropriations. Differences are: (1) The Senate bill consolidates the authorization for subtitles B, C, and H of title I and national service awards under subtitle D. The House bill provides a separate authorization for subtitle B and consolidates the remaining subtitles. (2) The Senate authorization is for three years, through 1996. (3) The Senate bill, but not the House bill, states a minimum amount that must be available for subtitle B activities. Note: Both bills limit the amounts available for subtitle H, section 125, or section 126 to 15% of funds available excluding subtitle B./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(3) ADMINISTRATION.--There are authorized to be appropriated for the administration of the Act (including subtitle G) such sums as may be necessary for each of the fiscal years 1994 through 1996. "(b) TITLE III.--There are authorized to be appropriated to carry out title III \$5,000,000 for each of the fiscal years 1994 through 1996. "(c) AVAILABILITY OF APPROPRIATIONS.--Funds appropriated under this section shall remain available until expended."	"(2) ADMINISTRATION.--There are authorized to be appropriated for the administration of this Act such sums as may be necessary for each of the fiscal years 1994 through 1998. "(b) TITLE III.--There are authorized to be appropriated to carry out title III \$5,000,000 for each of the fiscal years 1994 through 1998. "(c) AVAILABILITY OF APPROPRIATIONS.--Funds appropriated under this section shall remain available until expended."	Authorizes such sums as necessary for administration and \$5 million for the Points of Light Foundation./Identical language.

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(c) POWERS.--In addition to the authority conferred on the Chairperson under any other provision of this Act, the Chairperson may-- "(1) establish, alter, consolidate, or discontinue any organizational units within the Corporation as the Chairperson considers necessary or appropriate; "(2) with the approval of the President--"(A) arrange with and reimburse the heads of other Federal agencies for the performance of any of the provisions of this Act; and "(B) as necessary or appropriate--"(i) delegate any of the functions of the Chairpersons under this Act, or, with the permission of the Board, any of the functions of the Board under this Act, to such heads of Federal agencies; and "(ii) authorize the redelegation of such functions, subject to provisions to assure the maximum possible liaison between the Corporation and such other agencies at all operating levels; "(3) with their consent, utilize the services and facilities of Federal agencies with or without reimbursement, and, with the consent of any State, or political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivisions without reimbursement;	"(c) POWERS.-- In addition to the authority conferred on the President under any other provision of this Act, the President may-- "(1) establish, alter, consolidate, or discontinue such organizational units or components within the Corporation as the President considers necessary or appropriate, consistent with Federal law, and shall, to the maximum extent practicable, consolidate such units or components of the division of the Corporation that carries out volunteer service programs and the division of the Corporation that carries out financial assistance programs as may be appropriate to enable the two divisions to coordinate common support functions, such as recruiting, public awareness, or training functions; "(2) with the approval of the President of the United States, arrange with and reimburse the heads of other Federal agencies for the performance of any of the provisions of this Act; "(3) with their consent, utilize the services and facilities of Federal agencies with or without reimbursement, and, with the consent of any State, or political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivisions without reimbursement;	Provides additional powers to the head of the Corporation. Generally identical, with the following differences: (1) The Senate version, but not the House, requires the President to consolidate, to the extent practicable, the functions carried out by the two divisions of the Corporation. (2) The House, but not the Senate, provides the President with the explicit authority to delegate any functions to other Federal agencies. (3) The Senate version, but not the House, requires the Director to consolidate the reports to Congress required under the Act./

H. R. 2010 Provision	S. 919 Provision	Explanation/Recommendation
"(4) allocate and expend, or transfer to other Federal agencies for expenditure, funds made available under this Act, including expenditure for construction, repairs, and capital improvements; "(5) disseminate, without regard to the provisions of section 3204 of title 39, United States Code, data and information, in such form as the Chairperson shall determine to be appropriate to public agencies, private organizations, and the general public; "(6) collect or compromise all obligations to or held by the Chairperson and all legal or equitable rights accruing to the Chairperson in connection with the payment of obligations in accordance with chapter 37 of title 31, United States Code (commonly known as the 'Federal Claims Collection Act of 1966'); "(7) expend funds made available for purposes of this Act, without regard to any other law or regulation, for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by the Chairperson;	"(4) allocate and expend, or transfer to other Federal agencies for expenditure, funds made available under this Act, including expenditure for construction, repairs, and capital improvements; "(5) disseminate, without regard to the provisions of section 3204 of title 39, United States Code, data and information, in such form as the President shall determine to be appropriate to public agencies, private organizations, and the general public; "(6) collect or compromise all obligations to or held by the President and all legal or equitable rights accruing to the President in connection with the payment of obligations in accordance with chapter 37 of title 31, United States Code (commonly known as the 'Federal Claims Collection Act of 1966');	

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"(8) file a civil action in any court of record of a State having general jurisdiction or in any district court of the United States, with respect to a claim arising under this Act; "(9) exercise the authorities of the Corporation under section 196; and "(10) generally perform such functions and take such steps consistent with the objectives and provisions of this Act, as the Chairperson determines to be necessary or appropriate to carry out such provisions.	"(7) expend funds made available for purposes of this Act, without regard to any other law or regulation, for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by the President; "(8) file a civil action in any court of record of a State having general jurisdiction or in any district court of the United States, with respect to a claim arising under this Act; "(9) exercise the authorities of the Corporation under section 196; and "(10) consolidate the reports to Congress required under this Act, and the report required under section 9106 of title 31, United States Code, into a single report, and submit the report to Congress on an annual basis; "(11) generally perform such functions and take such steps consistent with the objectives and provisions of this Act, as the President determines to be necessary or appropriate to carry out such provisions.	