FOIA Number: 2013-0661-F

FOIA MARKER

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

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Legislative Affairs

Series/Staff Member: Jack Lew

Subseries:

OA/ID Number: 2387

FolderID:

Folder Title:
[National Service-Conference Report: Summary Materials]

Stack:	Row:	Section:	Shelf:	Position:
S	25	7	9	1

Summary of Conference Report on H.R. 2010

This legislation is designed to encourage national and community service by all Americans, at all ages, in all forms. The centerpiece of the bill will enable citizens to make an intense, long-term commitment to meeting unmet community needs, and to earn an award for education in return. One hundred thousand Americans will be able to participate in that program over three years. In addition, the bill will encourage millions more Americans to contribute to their country by supporting national and community service by school-age youth and Older Americans.

The basic principles of H.R. 2010 and S. 919 are the same. Both establish a new program that builds service-programs through non-government entities; both establish broad eligibility, national recruiting, and local selection of participants; both offer the same awards for service; both include similar additional provisions to encourage service; and both combine two federal agencies into one government-owned corporation with a three-year authorization to encourage service.

The Conference agreement reflects the Senate bill by including "community" in the title and by strengthening language to require the Corporation and State Commissions to establish clear priorities for funding national and community service program.

With regard to funding, the Conference Report reflects the authorization levels in the Senate bill and the formulas for allocation in the House bill. The Conference Report authorizes $300 million in the first year for the new program rather than

$394 million, and $500 million and $700 million in the two subsequent years, rather than "such sums." Two-thirds of these funds will be allocated on a competitive basis, rather than the smaller amounts in the Senate bill.

The design of the Corporation reflects elements of both the House and Senate bills. The Conference Report transfers all employees of the ACTION agency to the Corporation with full rights, as in the House bill. The Corporation is provided flexibility with regard to organizational structure, however, with the clear goal of maximizing integration of the old and new entities after three years. These provisions, along with the retained requirement of a Corporation business plan, more closely mirror those of the Senate bill.

On many secondary issues, the Conferees achieved a compromise between House and Senate positions. The Senate bill undertook some simplification of application requirements, and the Conference Report reflects that effort while indicating desirable information in the statement of managers. House and Senate membership lists for State Commissions have been simplified and combined. Senate provisions ensuring that national service not become an entitlement and not fund advocacy and certain religious activities have been modified and adopted. House provisions have been adopted that prevent those convicted of drug offenses during their service from receiving awards, and that offer greater flexibility to individuals who withdraw from the program in a difficult personal situation. The legislation reflects provisions from both House and Senate designed to ensure that national service not become an entitlement.

NATIONAL SERVICE:
From Vision to Reality

When he announced his candidacy for President, Bill Clinton outlined a vision of a "domestic Peace Corps," in which young Americans would serve our country and earn money for college in return. At his Inaugural, the President called on Americans to join together in "seasons of service." Then in March and May speeches at Rutgers University and the University of New Orleans, the President laid out the details of national service legislation. House and Senate Committees reported out the President's bill with bipartisan support in June. Now, less than seven months after the Inaugural, the National and Community Service Act is poised to become the law of the land.

The service initiative is new public policy founded on the oldest American values: opportunity, responsibility, and community. The legislation embodies principles of "reinventing government" -- relying on communities instead of bureaucracies to develop programs, stimulating competition for funds rather than offering block grants, and requiring measurable performance in meeting unmet needs. But national service's central principle is the old American idea that by working together, we can improve our lives, bridge our differences, and lift up our nation.

The specific provisions of the final legislation are substantially the same as the legislation that the President proposed. The service program will:

- Create a new Corporation for National and Community Service that combines two existing agencies and allows new employees to be hired through a flexible, merit-based process.
- Enable Americans to earn an educational award of nearly $5000 for each term of service, in addition to a small stipend and basic benefits.
- Make information about service programs widely available to Americans while leaving recruitment at the local level.
- Require measurable results in meeting clear needs: immunizing infants, tutoring children at risk, cleaning up national parks, fighting crime, and so on.
- Enable 100,000 Americans to serve our country and pay for school over the next three years.

Congress acted quickly on the legislation -- three months from introduction to final passage. The program enjoyed strong bipartisan support. A majority of Senate Committee Republicans voted favorably to report out the initiative, and in the end 26 House and 7 Senate Republicans supported the legislation. At the same time, Democrats were nearly perfectly united in support: all 56 Senate Democrats voted to end a threatened filibuster, and only 5 House Democrats opposed the program on final passage. With the swift action on the legislation, the Corporation for National and Community Service will be up and running on October 1.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the National Service Trust Act, H.R. 2010, to amend the National and Community Service Act of 1990, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House bill is entitled "The National Service Trust Act." The Senate bill is entitled "The National and Community Service Trust Act." The House recedes.

The findings of the Senate bill, but not the House bill, include the goal of transcending gender, age, and income, in addition to race, religion, disability, and region. The House recedes.

The purposes of the Senate bill, but not the House bill, include certain additional provisions. The Senate recedes.

TITLE I -- PROGRAMS AND RELATED PROVISIONS

The House bill, but not the Senate bill, retains Subtitle C of the National and Community Service Act and renames it Subtitle I. The Senate recedes with amendments conforming Subtitle I to the new legislation.

Subtitle C -- National Service Trust Program

The Senate bill, but not the House bill, references labor organizations and community action agencies as a modifier of public and private not-for-profit organizations. The Senate recedes here and throughout and consolidates the references into the definitions.

The Senate bill, but not the House bill, requires Federal agencies to enter into contracts with local providers where appropriate. The House recedes.

The Senate bill requires a 50 percent matching requirement from Federal agencies, while the House bill exempts agencies from matching requirements. The Senate recedes.

The definition of youth corps in the Senate bill refers only to economically disadvantaged youths. The definition in the House bill refers to other disadvantaged youths. The Senate recedes.

The definition of specialized training programs in the House bill, but not the Senate bill, qualifies with "if appropriate" the requirement of bringing participants together periodically. The Senate recedes.

The definition of professional corps in the Senate bill, but not the House bill, includes reference to other health care providers in addition to nurses, and to engineers. The House recedes.

The definition of youth corps in the Senate bill includes youth ages 16-25, while in the House bill it includes youth ages 16-24. The House recedes.

The definition of certain programs in low-income areas in the Senate bill, but not the House bill titles them "Communities in Action programs." The House bill, but not the Senate bill, requires a "board composed in significant part of low-income communities. The Senate recedes with an amendment providing for after-school 'safe places' including schools.

The House bill, but not the Senate bill, includes programs to assist rural communities and programs to eliminate hunger on the list of model programs. The Senate recedes.

The Senate bill, but not the House bill, requires program applicants to list job descriptions and minimum qualifications for national service participants. The House recedes.

The House bill, but not the Senate bill, allows the Corporation to consult with experts in the delivery of certain services in addition to those with extensive experience in developing and administering national service programs. The Senate recedes.

The Senate bill, but not the House bill, requires States to establish in their State plans State priorities. The House recedes, with an amendment stating that State priorities are subject to approval as part of the application process under section 130.

The Senate bill, but not the House bill, requires the Corporation to treat existing grantees equitably when priorities change. The House recedes.

The Senate bill, but not the House bill, allows subgrantees not to follow national priorities. The Senate recedes. Subgrantees who receive funding under the formula portion of the program must follow priorities consistent with national priorities. It is the Conferees' intent that the Corporation ensure that programs meet clear priorities, in order to ensure that national service program meet the most significant and urgent needs.

The House bill requires "appropriate" technical assistance while the Senate bill requires technical assistance "where necessary." The Conference Substitute requires technical assistance "where appropriate and necessary."

The House bill, but not the Senate bill, allows the Corporation to provide technical assistance to assist with risk management procedures. The Senate recedes.

The House bill, but not the Senate bill, establishes in section 126 for aid to State Commissions a maximum of $17.5 million and an individual State cap of $500,000. The Senate recedes, with an amendment raising the State cap to $750,000, and establishing a small-State minimum of $125,000 in 1994 and $175,000 in 1995 and 1996. Other provisions governing administrative costs are contained in title III.

The Senate bill, but not the House bill, allows disaster service to be provided through the VISTA program. The House recedes.

The House bill, but not the Senate bill, specifically references the Stafford Disaster Relief Act. The Senate recedes.

The House bill allocates one-third of funds by formula to States. The Senate bill allocates 40 percent by formula in the first year, 45 percent in the second year, and 50 percent in the third year. The Senate recedes.

The Senate bill reserves one percent of funds for territories and Indian tribes. The House bill reserves one percent for the territories and an additional one percent for Indian tribes. The Senate recedes.

The House bill, but not the Senate bill, contains punitive provisions concerning a State's failure to limit liability. The House recedes.

The Senate bill, but not the House bill requires that the Corporation determine an equitable procedure for providing post-service educational awards during the transition period. The Senate recedes.

The House bill allocates one-third of funds on a competitive basis to States. The Senate bill allocates 30 percent on a competitive basis in the first year, 27.5 percent in the second year, and 25 percent in the third year. The Senate recedes.

The House bill reserves one-third of funds for the Corporation to allocate directly. The Senate bill allocates 30 percent on this basis in the first year, 27.5 percent in the second year, and 25 percent in the third year. The Senate recedes.

The House bill allows up to one-third of Federal funds to be allocated to Federal agencies, while the Senate bill allows up to 30 percent. The Senate recedes.

The Senate bill, but not the House bill, specifies that in the Federal allocation of funds, if State applicants and nonprofit applicants are of equal value, the Corporation shall select the nonprofit applicant. The Senate recedes.

The House bill, but not the Senate bill, specifies that the State does not have to specify its selection process if so doing would conflict with State or local law or policy. The House recedes.

The Senate bill, but not the House bill, requires the Corporation to set aside not less than 2 percent and not more than 5 percent of funds up to $10,000,000 to assist individuals with disabilities to participate in national service programs. The House recedes with an amendment requiring that not less than 1 percent and not more than $5,000,000 be allocated for these purposes.

The House bill and the Senate bill contain slightly different potential application requirements, including information concerning efforts to reduce reliance on Federal funds. The House recedes.

The House bill, but not the Senate bill, requires that States take into account the location of programs, population density and economic distress. The Senate recedes.

The House bill, but not the Senate bill, defines a service sponsor for the purpose of the written concurrence requirement from local labor organizations. The Senate recedes.

The Senate bill, but not the House bill, requires that programs offer assurances that they will provide structured opportunities for reflection to participants. The House recedes with an amendment limiting the role of reflection to instances "where appropriate."

The House bill, but not the Senate bill, requires union consultation only if unions exist in the area to be served by the program. The Senate recedes.

The House bill, but not the Senate bill, requires the Corporation to develop evaluation criteria and performance goals applicable to all national service programs. The Senate recedes.

The House bill, but not the Senate bill, allows the State, when agreeing to select participants from national or State lists, to select applicants only from within the State. The House recedes.

The Senate bill, but not the House bill, prohibits the use of assistance to provide instruction as part of a program that includes mandatory religious education or worship, or to construct, operate or maintain facilities devoted to religious instruction or worship. The House recedes, with an amendment specifying that it is only facilities primarily or inherently devoted to religious instruction or worship. It is the intent of the conferees that this provision not preclude participants from engaging in activities as part of a program separate from and supplemental to the regular program of an organization engaged in religious activities, such as government-funded programs like chapter 1 of Title I of the Elementary and Secondary Education Act and the Individuals with Disabilities Education Act, so long as there is no mandatory instruction or worship as part of that separate and supplementary program.

The Senate bill, but not the House bill, includes provisions to ensure that assistance is not used to promote political activities. The Senate recedes. The Conferees note that Section 174(b) already prohibits use of assistance to finance activities designed to influence the outcome of elections.

The Senate bill, but not the House bill, prohibits programs to be operated by entities that spend more than 20 percent of their budgets, or aim primarily, to influence public policy or lobby the government. The Senate bill also States that these provisions are not designed to discourage individuals from engaging in advocacy undertaken at their own initiative. The House recedes, with an amendment conforming prohibitions to the tax code governing 501(c)(3) nonprofit organizations.

The Senate bill, but not the House bill, specifies that certain Native Regional Corporations will not be considered ineligible to benefit from service programs. The House recedes.

On the list of areas where projects are needed most, the House bill references rural areas adversely affected by unfair trading, while the Senate bill references areas experiencing a substantial reduction in population and having a high percentage of disadvantaged older adults. The House recedes.

On the list of areas where projects are needed most, the House bill, but not the Senate bill, references areas adversely affected by Federal actions relating to the management of Federal lands and areas with above-average unemployment rates. The Senate recedes.

The Senate bill, but not the House bill, allows State Commissions to request that the Corporation waive priorities to assist State programs if they are of greater quality. The House recedes.

The Senate bill, but not the House bill, requires a peer review panel to address applications valued at greater than $100,000. The Senate recedes with an amendment setting the minimum at $250,000.

The Senate bill, but not the House bill, allows Subtitle D demonstration corps under the 1990 National and Community Service Act to apply directly to the Corporation for funding under the final year of that demonstration authority. The House recedes.

The Senate bill, but not the House bill, targets all of the areas needing projects most for 50 percent of funds. The House recedes.

The House bill, but not the Senate bill, includes a report concerning the economic and demographic characteristics of participants. The House recedes, with an amendment incorporating this report in other reports required under section 202.

The Senate bill, but not the House bill, requires that national service participants meet eligibility requirements directly related to the tasks to be accomplished. The House recedes.

The House bill, but not the Senate bill, allows United States nationals and lawful permanent resident aliens to participate. The Senate recedes.

The Senate bill, but not the House bill, allows a waiver of the high school diploma or GED requirement in instances in which individuals are demonstrated to be incapable of obtaining a high school diploma or GED. The House recedes.

The House bill, but not the Senate bill, allows participation by an individual without a GED but enrolled in a post-secondary institution on an ability-to-benefit basis. The Senate recedes.

The House bill, but not the Senate bill, requires the Corporation and State recruiting system to include positions under title II of the Domestic Volunteer Service Act. The Senate recedes, with an amendment stating that recruiting efforts may, but need not, include such positions.

The Senate bill, but not the House bill, references State vocational rehabilitation agencies within the meaning of the Rehabilitation Act of 1973. The House recedes.

The House bill, but not the Senate bill, includes as priority participants in national leadership pool participants in subtitle D programs of the National and Community Service Act of 1990 and honorably discharged members of the Armed Forces. The Senate recedes.

The House bill, but not the Senate bill, requires evaluation of participants prior to their acceptance for second term of service. The Senate recedes.

The House bill establishes an award for part-time service and requires 1700 hours per part-time term. The Senate bill establishes an award with half the value of the House award for part-time service and requires 900 hours per part-time term. The House recedes.

The House bill, but not the Senate bill, gives an individual released from service for compelling personal reasons the option to receive a portion of the educational award or to return within two years to complete service and receive the entire award. The Senate recedes.

The House bill, but not the Senate bill, requires a stipend no less than the VISTA living allowance and establishes a waiver for lower stipends. The Senate recedes.

The House bill, but not the Senate bill, requires a study concerning minimum living allowances. The House recedes, with an amendment incorporating the study in reports required under section 202.

The Senate bill, but not the House bill, ensures that only those needing child care in order to participate receive it. The House recedes.

The House bill, but not the Senate bill, requires the provision of individualized support services to qualified individuals with disabilities. The Senate recedes, with an amendment requiring reasonable accommodation.

The House bill, but not the Senate bill, applies the new living allowance requirements to the American Conservation and Youth Corps, and also requires an evaluation of the living allowance in this subtitle. The Senate recedes with an amendment to include the evaluation in reports required under section 202.

Subtitle D -- National Service Trust and Provision of National Service Educational Awards

The House bill, but not the Senate bill, sets the date of March 1 for submission of annual reports on the financial status of the National Service Trust. The Senate recedes.

The House bill requires United States nationals and lawful permanent resident alien status for receipt of an education award, while the Senate requires lawful admission for permanent residence. The Senate recedes.

The Senate bill, but not the House bill, specifically requires enrollment at an eligible institution of higher education for receipt of an educational award. The House recedes.

The House bill, but not the Senate bill, allows lawful permanent resident aliens to receive educational awards. The Senate recedes.

The Senate bill, but not the House bill, requires that individuals not receive stipends for more than two terms of service. The House recedes.

The House bill allows use of an educational award for up to seven years, the Senate bill for up to five years, after the completion of service. The Senate recedes.

The Senate bill, but not the House bill, limits the percentage of students at an educational institution who are receiving national service educational awards to 15 percent. The House recedes.

The House bill, but not the Senate bill, suspends the eligibility of drug-related offenders to use educational awards. The Senate recedes.

The House bill, but not the Senate bill, provides an authority for the Corporation to establish demonstration programs. The Senate recedes.

The House bill and the Senate bill establish identical educational awards. The award is to $4725 per year, and is equal to 90 percent of the veterans' benefit for two-year enlistment less individual contribution, under the Montgomery GI Bill (90 percent of $325 multiplied by 36 months, less $1200, divided by two). The Conferees note that the benefit for the two year enlistment is dispersed over 36 months.

The House bill allows an individual to select which loans to pay off first; the Senate bill requires the individual to pay off the principal first. The Senate recedes.

The Senate bill allows the Corporation to pay for interest during an individual's period of forbearance; The House bill requires the Corporation to pay. The Senate recedes.

The House bill and Senate bill contain minor drafting differences concerning the treatment of educational awards for purposes of determining eligibility for educational aid. The Conferences Substitute clarifies this issue.

Subtitle B -- School-based and Community-based Service-Learning Programs

The House bill, but not the Senate bill, specifies that grants under the Serve-America program shall be made to State Educational Agencies. The Senate recedes.

The House bill, but not the Senate bill, lists the duties of the service-learning coordinator. The House recedes with an amendment shortening the list of duties. It is the intent of the conferees that service learning coordinators should provide services to local educational agencies as indicated in the Senate bill as reported, in section 111(b).

The Senate bill, but not the House bill, requires applications under section 114 to reflect programs carried out in more than one State. The Senate recedes.

The Senate bill, but not the House bill, limits multiple applications for a single project. The House recedes.

The Senate bill, but not the House bill, creates a waiver so that programs may utilize not less than 10 percent and not more than 25 percent of their assistance under section 112 for capacity-building activities. The Committee substitute includes the waiver, with a maximum of 20 percent for such activities.

The Senate bill, but not the House bill, requires "grantmaking entities" under section 117 to have experience with service-learning. The Senate recedes.

The Senate bill, but not the House bill, allows the Corporation to establish other criteria to define grantmaking entities. The House recedes.

The House bill, but not the Senate bill, indicates local application requirements. The House recedes. It is the intent of the Conferees that the Corporation request the information indicated in the Senate bill, as reported, in section 113(b).

The House bill, but not the Senate bill, requires certain information in local applications. The House recedes. It is the intent of the conferees that the Corporation should require the information indicated in the Senate bill as reported, in section 114(d).

The Senate bill, but not the House bill, requires for assistance under section 117 assurances related to consultation with local labor organizations. The House recedes, with an amendment that restricts the assurance to instances when appropriate.

The Senate bill, but not the House bill, contains a limitation on the same project in multiple applications under section 117. The House recedes.

The House bill, but not the Senate bill, contains a list of application requirements for States or Indian tribes to receive assistance to carry out community-based service programs under section 117. The House recedes. It is the intent of the Conferees that the Corporation require the information indicated in the Senate bill as reported, section 117(d).

The House bill, but not the Senate bill, includes in the list of functions of a clearinghouse providing information relating to service-learning programs for individuals with disabilities. The Senate recedes.

The Senate bill, but not the House bill, includes authority to strengthen the leadership and instructional capacity of teachers among the authorities under the Higher Education Innovative projects. The House recedes.

The Senate bill, but not the House bill, requires grant applicants to provide participants with an opportunity to reflect on their service experience. The House recedes.

Subtitle H -- Quality and Innovation Activities

The Senate bill, but not the House bill, authorizes assistance under Subtitle H for National Youth Service Day. The House recedes.

The House bill, but not the Senate bill, authorizes grants to the Foster Grandparent Program to support Head Start projects. The Senate recedes.

The Senate bill, but not the House bill, authorizes a special demonstration project for the Yukon-Kuskokwim Delta of Alaska. The House recedes.

Additional Subtitles and Provisions

The Senate bill, but not the House bill, authorizes a military installation conversion demonstration program. The House recedes. The House recedes, with amendments requiring the demonstration program to provide meaningful "service opportunities" rather than "training and paid employment" and "stipend" rather than "salary." It is the intent of the conferees that the 25 percent requirement referred to in subsection (g), "limitation on grant," refer to the total cost of the base conversion and not the total cost of the demonstration programs.

The House bill authorizes a Public Lands Corps, a youth conservation corps program within the Departments of Interior and Agriculture. Participants would carry out conservation projects located on federal public lands, Indian lands, or Native Hawaiian home lands. The Public Lands Corps would also be authorized to carry out disaster prevention and relief efforts on federal, state, local or private lands in response to a disaster or emergency declared by the President. In addition, the Secretaries of the Interior and Agriculture would be authorized to enter into contracts or cooperative agreements with other qualified youth or conservation corps to carry out appropriate conservation projects. The Secretaries of the Interior and Agriculture would be eligible to apply for grants and assistance from the Corporation and use their own appropriated Departmental funds to carry out the provisions of the Public Lands Corps. For projects carried out by non-federal conservation corps, a 25 percent match must be provided from non-federal sources in the form of funds or in kind assistance. The Senate amendment was nearly identical to the House bill. The Senate recedes with an amendment conforming titles.

The House bill, but not the Senate bill, creates an Urban Youth Corps. The grants are to be made available for service projects carried out by a qualified youth corps established by the Secretaries of Housing and Urban and Transportation. The Conferees do not intend to require the establishment of a separate agency within the Departments to implement the youth corps program. The Urban Youth Corps program is designed to offer meaningful, full-time work for individuals ages 16 to 25 in an urban public works, public housing, or transportation project.

The program must, in addition to the work, give the participants the opportunity to acquire greater citizenship values, basic life experiences, education, training and support services. It is the intent of the Conference that the urban youth corps be established by the Secretaries of Housing and Urban development (HUD), and Transportation with appropriate Congressional approval and consultation with the Corporation. It is the belief of the Conference that the Departments of Housing and Urban Development and Transportation can provide significant projects, including reclamation of, rehabilitation of, and enhancement of low income housing stock, local streets and highways, and other public spaces funded in whole or in part by Federal monies. The Department of Transportation and HUD programs established under this section may utilize those existing urban youth corps that have proven records of success in providing services in low income communities through opportunities for inner city poor and disadvantaged youth. Departments and agencies establishing urban youth corps are eligible to apply for grants from the Corporation in the same manner as any other Federal agency. The Senate recedes with an amendment conforming titles.

The House bill, but not the Senate bill, specifies that a "community-based agency" may include a church or other religious entity and that it may be representative of a "significant segment" of the community. The Senate recedes.

The House and Senate bills differ in their definitions of Indian lands. The House recedes.

The House and Senate bills differ in their definitions of school-age youth. The House recedes.

The Senate bill, but not the House bill, contains an independent evaluation and report on the demographics of national service participants and communities. The House recedes.

The Senate bill, but not the House bill, requires a report by the Secretary of Defense on the effect of programs on recruitment for the Armed Forces. The House recedes.

The Senate bill, but not the House bill, specifies certain requirements with respect to audits. The House recedes.

The House bill, but not the Senate bill, specifies that the absence of a participant pursuant to certain laws shall not be counted toward the completion of the term of service. The Senate recedes.

TITLE II -- ORGANIZATION

The Senate bill refers to "State Commissions on National and Community Service," while the House bill refers to "State Commissions on National Service." The House recedes.

The House bill requires throughout Section 201 that an alternative administrative entity include all of the individuals listed as required and eligible under Section 201, while the Senate bill only requires certain of those individuals. The House recedes.

The Senate bill, but not the House bill, includes throughout Section 201 references to a State Commission "or alternative administrative entity". The House recedes.

The Senate bill requires State Commissions to include not less than 7 voting members and not more than 25 voting members. The House bill requires not less than 15 voting members. The Conference Substitute requires not less than 15 and not more than 25 voting members.

The House and Senate bills include different lists of required members of the State Commissions. The Conference Substitute includes the following members: individuals with expertise regarding disadvantaged youth, an individual with experience concerning voluntary action by older Americans, a representative of community-based agencies or organizations, the head of the State educational agency, a representative of local governments, a representative of local labor organizations, a representative of business, an individual between the ages of 16 and 25 who is a program participant or supervisor, and a representative of a national service program.

The House and Senate bills include different lists of optional members. The Conference Substitute includes members selected from among local educations, experts in delivering certain services, representatives of Indian tribes, members selected from among out-of-school or at-risk youth, and representatives of entities receiving assistance under DVSA.

The Senate bill makes the Corporation representative to the State Commission an ex officio non-voting member, while the House bill makes the representative a voting member. The House recedes, with an amendment allowing a State to designate the member as voting if it so chooses.

The Senate bill requires, while the House bill allows, the State to appoint any additional Corporation employee responsible for programs in the State. The Senate recedes.

The House bill requires that the Governor achieve diversity in the State commission, while the Senate bill requires diversity to the maximum extent practicable and mentions diversity of disability characteristics. The House recedes.

The Senate bill, but not the House bill, names outreach to diverse community-based agencies among the duties of the State Commission. The Senate recedes.

The House bill, but not the Senate bill, requires State Commissions to engage in an open and public process. The Senate recedes.

The House bill, but not the Senate bill, contains provisions governing conflict of interest by the State Commission members. The Senate recedes.

The Senate bill, but not the House bill, specifies certain criteria for including a program within the State application. The Senate recedes.

The House bill, but not the Senate bill, states that the State Commission shall make recommendations regarding priorities under the Domestic Volunteer Service Act and shall make technical assistance available to applicants. The Senate recedes.

The Senate bill, but not the House bill, provides for full equal treatment of an alternative administrative entity. The House recedes with an amendment deleting specific references to parity in benefits and support.

The Senate bill establishes an effective date for section 201 of October 1, while the House establishes the date of enactment as effective date. The House recedes.

The Senate bill allows a transitional entity to operate for 36 months, while the House bill allows such an entity for 12 months. The Conference Substitute allows for a period of 27 months.

The Senate bill, but not the House bill, indemnifies State Commission members for claims arising out of actions within the scope of their service. The House recedes.

The Senate bill establishes a "Corporation for National and Community Service, while the House bill establishes a "Corporation for National Service." The House recedes.

The House bill establishes a single Chairperson of the Corporation, while the Senate bill establishes a Chairperson and a President. The House recedes, with an amendment renaming the "President" as the "Chief Executive Officer."

The Senate bill requires that the Chairperson be appointed by the Board, while the House requires that the Chairperson be appointed by the President of the United States. The Conference

Substitute requires that the Corporation Chief Operating Officer and the first Chairperson be appointed by the President of the United States, with subsequent Chairpersons appointed by the Board from within the Board.

The Senate bill establishes a Board consisting of 15 members, while the House bill establishes a Board consisting of not less than 15 members. The House recedes, with an amendment including the Chief Executive Officer of the Corporation among the 15.

The Senate bill, but not the House bill, makes the Secretary of Veterans Affairs an ex officio member of the Board. The House recedes.

The Senate bill establishes three years terms, but the House bill five year terms, for the Board of the Corporation. The Senate recedes.

The House bill, but not the Senate bill, requires that the Board conduct public hearings throughout the United States. The House recedes.

The House bill, but not the Senate bill, requires the Board to establish an Inspector General Oversight Committee. The House recedes.

The Senate bill, but not the House bill, states that a Board member shall be considered a Federal employee for purposes of tort claims. The House recedes.

The House bill requires the Board to prepare the strategic plan, while the Senate bill requires the Board to review and approve the strategic plan. The House recedes.

The House bill requires the Board to disseminate information; the Senate bill requires effective dissemination. The House recedes.

The Senate bill, but not the House bill, requires the Board to prepare recommendations to the Congress and President of the United States under section 193A(b)(10). The House recedes.

The House bill, but not the Senate bill, prescribes rules governing conflict of interest by Board members. The Senate recedes with an amendment conforming the rules to standard ethics provisions.

It is the intent of the Conferees that the Chairman of the Board shall receive the report of the Inspector General at the same time as such report is delivered to the Chief Executive of the Corporation.

The Senate bill, but not the House bill, exempts the Board from the Federal Advisory Committee Act. The House recedes.

The House bill, but not the Senate bill, requires the Corporation to coordinate its activities with those of Federal agencies dealing with communities participating in or benefiting from service programs. The Senate recedes.

The Senate bill, but not the House bill, requires the Senate to consolidate functions of the Corporation. The House recedes, with an amendment deleting specific instances of functions.

The House bill, but not the Senate bill, provides the Corporation with explicit authority to delegate functions. The House recedes.

The Senate bill, but not the House bill, requires the Director to consolidate the reports to Congress required under the Act. The House recedes.

The House bill, but not the Senate bill, authorizes the Corporation to spend funds for construction, without regard to other law, and to spend funds, without regard to other law, for rent or buildings. The House recedes.

The Senate bill, but not the House bill, requires a series of studies and demonstrations, concerning administration, priorities, educational awards, stipended service, and other matters. The House recedes with an amendment to include certain other reports within this section.

The House bill, but not the Senate bill, contains provisions relating to full funding of costs to State and local governments. The House recedes.

The House and Senate bills authorize managing directors with different responsibilities and establish corporation divisions with different authorities. The Conference Substitute allows the Corporation to determine the responsibilities of the directors and the authorities of the divisions.

The House bill makes the Inspector General subject to agency appointment, while the Senate bill makes the Inspector General subject to Presidential appointment and Senate confirmation. The House recedes.

The Senate bill, but not the House bill, amends the Inspector General Act. The House recedes.

The Senate bill, but not the House bill specifies the access of the Chief Financial officer to information available within the Corporation. The House recedes.

The House bill and the Senate bill contain different provisions concerning personnel, in particular with regard to the transfer of employees from the ACTION agency. The Senate recedes. It is the intent and expectation of the Committee that the bargaining unit shall be transferred substantially intact to the Corporation. It is also the Conferees' intent that these transferred employees be considered an appropriate unit for purpose of collective bargaining. It is further the intent of the Conferees that none of the authorities conferred upon the Chief Executive Officer by this Act be used in a manner that would adversely affect the bargaining rights of any employee transferred to the Corporation who, on the date of enactment, is covered by a collective bargaining agreement in a bargaining unit.

The Senate bill, but not the House bill, exempts the Corporation representative in each State from the provisions of title V of the United States Code. The Conference Report provides that individuals reported as Corporation representatives appointed under the Corporations alternative personnel system not be paid more than the equivalent rate under GS-13. Individuals appointed under standard civil service rules will have their pay governed by the civil service classification system.

The Senate bill, but not the House bill, includes certain provisions governing the use of volunteers by the Corporation. The House recedes.

The Senate, but not the House, specifies that appropriate OMB Circulars apply to the Corporation. The House recedes. It is the intent of the Conference that this applies specifically to the Single Audit Act circulars, and that the Corporation determine which OMB circulars are appropriate.

The House bill, but not the Senate bill, requires that the Corporation receive concurrence in certain building activities from certain congressional committees. The Senate recedes.

The Senate bill, but not the House bill, requires the Corporation to submit a business plan to Congress prior to the issue of any grants. The House recedes with minor amendments.

TITLE III -- REAUTHORIZATION

The House bill, but not the Senate bill, specifies that authorizations are subject to the availability of appropriations. The Senate recedes.

The Senate bill authorizes $300 million in fiscal year 1994, $500 million in fiscal year 1995, and $700 million in fiscal year

1996. The House bill authorizes $394 million in fiscal year 1994 and such sums in fiscal years 1995 and 1996. The House recedes.

The Senate bill authorizes for administration 15 percent of appropriations for subtitles B,C,D, and H in the first year and 10 percent in subsequent years, with 50 percent of such funds for the Corporation and 50 percent for State Commissions. The House bill authorizes such sums for administration, with a limit of $17.5 million for State Commissions (in section 126). The House recedes, with an amendment authorizing for administration $40 million in 1994, $60 million in 1995, and $70 million in 1996, stating that not more than 60 percent of funds may be made available to the Corporation, with the remainder for State Commissions.

The House bill, but not the Senate bill, specifies that the authorizations of appropriations come under budget function 500 as used by the Office of Management and Budget to cover education, training, employment and social services. The Senate recedes. The Conferees note that since the initial submission of the Administration's budget request for a national service initiative, funding for the programs authorized by this bill have been classified by the Office of Management and Budget as being displayed within budget function 500 -- Education, Training, Employment and Social Services. The Conferees further note that the Committees on Appropriations determined that the appropriate jurisdiction for National Service Trust programs would be the VA/HUD/ Subcommittee, and that this controlling decision is, unaffected by this amendment. The Conferees note that the ACTION programs are under the jurisdiction of the Labor/HHS Subcommittee.

The House bill, but not the Senate bill, has a provision in section 321A that requires the Assistant Director of VISTA have authority to administer the VISTA provision. The Senate recedes.

The House bill, but not the Senate bill, retains a volunteer placement office for VISTA. The Senate recedes, with an amendment requiring that upon integration of ACTION into the Corporation, any placement office shall be merged into the Corporation.

The House bill, but not the Senate bill, maintains the minimum funding set-aside of 1.5% for recruitment. The Senate recedes.

The House bill, but not the Senate bill, requires publicity about education awards. The Senate recedes.

The Senate bill, but not the House bill, requires that service opportunities be provided for returned Peace Corps volunteers. The Senate recedes.

The House bill mandates a minimum monthly post-service stipend of $100 for VISTA volunteers and a maximum of $200 for VISTA leaders; the Senate provides for a minimum of $125 for volunteers and $200 for volunteer leaders. The Senate recedes, with an amendment allowing for a maximum stipend of $125 for volunteers assuming the availability of funds to accomplish the increase.

Both the House bill and the Senate bill reduce the minimum age to 55. The House bill, but not the Senate bill, requires a priority in the Retired Senior Volunteer Program for individuals 60 years of age and older. The Senate recedes.

The Senate bill, but not the House bill, deletes a State Agency review provision. The Senate recedes.

The House bill, but not the Senate bill, requires consultation with states to consider the impact of stipend adjustments on non-Federally funded programs. The Senate recedes.

The Senate bill, but not the House bill, revises guidelines governing participation of non low-income persons. The Senate recedes.

The Senate bill, but not the House bill, removes certain State agency and community action agency project review authorities. The House recedes.

The House bill, but not the Senate bill, increases the minimum to be spent on promotion of Older Americans' programs from $250,000 to $500,000. The Committee substitute establishes a minimum of $375,000.

The Senate bill, but not the House bill, deletes a requirement that one-third of new monies be devoted to programs of national significance. The Senate recedes.

The House bill, but not the Senate bill, adds to the list of programs of national significance programs providing certain services augmenting the activities of State and local activities in years when those agencies have limited funds. The Senate recedes.

The House bill, but not the Senate bill, permits programs assisted under DVSA to make voter registration applications and information available on the premises of such programs. The Senate recedes.

The Senate bill, but not the House bill, provides a specific authority for a center for research and training. The Senate recedes.

The House bill, but not the Senate bill, restores a civil service retirement credit for former Peace Corps volunteers. The Senate recedes.

The House bill authorizes, to carry out parts A and B of title I, excluding section 109, $56,000,000 for 1994 and such sums for subsequent years. The Senate bill authorizes, to carry out part A of title I, excluding sections 104E and 109, $45,800,000 for 1994 and such sums for subsequent years. The Senate recedes.

The Senate bill, but not the House bill, establishes an independent authorization for the VISTA Summer Program. The Senate recedes.

The Senate bill authorizes $5,600,000 for literacy activities, while the House bill authorizes such sums. The House recedes.

The Senate bill authorizes $37,054,000 for the Retired and Senior Volunteer Program, while the House bill authorizes $53,100,000. The Conference Substitute authorizes $45,000,000.

The Senate bill authorizes $71,284,000 for the Foster Grandparent Program, while the House bill authorizes $98,200,000. The Conference Substitute authorizes $85,000,000.

The Senate bill authorizes $32,509,000 for the Senior Companion Program, while the House bill authorizes $48,700,000. The Conference Substitute authorizes $40,000,000.

The Senate bill authorizes 15 percent of the amount appropriated under sections 501 and 502 for administration and coordination; The House bill authorizes 21 percent. The Conference Substitute authorizes 18 percent. The managers have been informed that there have been problems in certain parts of the country regarding the payment of administrative costs by ACTION for expenses related to volunteers in local programs. This confusion arises particularly with respect to requests for payments related to expenses under federally approved cost allocation plans. The managers urge that ACTION review its policies regarding the payment of administrative costs covering program expenses consistent with federally approved cost allocation plans and determine whether administrative adjustments requested by local sponsors for program expenses consistent with such federally approved cost allocation plans should be permitted.

The House bill contains an authorization for funds for evaluation in the amount of not less than 2.5 percent of the amounts appropriated for administration. The Senate bill contains an authorization of one-half of one percent to 1 percent from the overall appropriation for evaluation and the center for research and training. The Senate recedes.

The Senate bill, but not the House bill, establishes a Rural Community Service Program. The Senate recedes.

The House bill, but not the Senate bill, includes a prohibition of contracts with persons falsely labeling products as Made in America and encouragement to the Corporation to follow Buy American practices. The Senate recedes.