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1 “(4)(A) prepare and submit to the Board a
2 plan for the evaluation of programs established
3 under this Act, in accordance with section 179; and

4 “(B) after receiving an approved proposal
5 under section 192A(g)(4)—

6 “(i) establish measurable performance
7 goals and objectives for such programs, in ac-
8 cordance with section 179; and

9 “(ii) provide for periodic evaluation of such
10 programs to assess the manner and extent to
11 which the programs achieve the goals and objec-
12 tives, in accordance with such section;

13 “(5) consult with appropriate Federal agencies
14 in administering the programs and initiatives;

15 “(6) suspend or terminate payments and posi-
16 tions described in paragraph (2)(B), in accordance
17 with section 176;

18 “(7) prepare and submit to the Board an an-
19 nual report, and such interim reports as may be nec-
20 essary, describing the major actions of the President
21 with respect to the personnel of the Corporation,
22 and with respect to such standards, policies, proce-
23 dures, programs, and initiatives;

24 “(8) inform the Board of, and provide an expla-
25 nation to the Board regarding, any substantial dif-

1 ferences regarding the implementation of this Act
2 between—

3 “(A) the actions of the President; and

4 “(B)(i) the strategic plan approved by the
5 Board under section 192A(g)(1);

6 “(ii) the proposals approved by the Board
7 under paragraph (2) or (3) of section 192A(g);
8 or

9 “(iii) the evaluation plan approved by the
10 Board under section 192A(g)(4);

11 “(9) prepare and submit to the appropriate
12 committees of Congress an annual report, and such
13 interim reports as may be necessary, describing—

14 “(A) the services referred to in paragraph
15 (1), and the money and property referred to in
16 paragraph (2), of section 196(a) that have been
17 accepted by the Corporation;

18 “(B) the manner in which the Corporation
19 used or disposed of such services, money, and
20 property; and

21 “(C) information on the results achieved
22 by the programs funded under this Act during
23 the year preceding the year in which the report
24 is prepared; and

“(10) provide for studies and demonstrations that evaluate, and prepare and submit to the Board by June 30, 1995 a report containing recommendations regarding, issues related to—

5 “(A) the administration and organization
6 of programs authorized under the national serv-
7 ice laws or under Public Law 91-378 (referred
8 to in this subparagraph as ‘service programs’),
9 including—

10 “(i) whether the State and national
11 priorities designed to meet the unmet
12 human, education, environmental, or public
13 safety needs described in section 122(c)(1)
14 are being addressed by this Act;

15 “(ii) the manner in which—

16 “(I) educational and other out-
17 comes of both stipended and
18 nonstipended service and service-
19 learning are defined and measured in
20 such service programs; and

21 “(II) such outcomes should be
22 defined and measured in such service
23 programs;

24 “(iii) whether stipended service pro-
25 grams, and service programs providing

1 educational benefits in return for service,
2 should focus on economically disadvan-
3 tagged individuals or at-risk youth or
4 whether such programs should include a
5 mix of individuals, including individuals
6 from middle- and upper-income families;

7 “(iv) the role and importance of sti-
8 pends and educational benefits in achieving
9 desired outcomes in the service programs;

10 “(v) the potential for cost savings and
11 coordination of support and oversight serv-
12 ices from combining functions performed
13 by ACTION State offices and State Com-
14 missions;

15 “(vi) the implications of the results
16 from such studies and demonstrations for
17 authorized funding levels for the service
18 programs; and

19 “(vii) other issues that the Director
20 determines to be relevant to the adminis-
21 tration and organization of the service pro-
22 grams; and

23 “(B) the number, potential consolidation,
24 and future organization of national service or
25 domestic volunteer service programs that are

1 authorized under Federal law, including
2 VISTA, service corps assisted under subtitle C
3 and other programs authorized by this Act, pro-
4 grams administered by the Public Health Serv-
5 ice, the Department of Defense, or other Fed-
6 eral agencies, programs regarding teacher
7 corps, and programs regarding work-study and
8 higher education loan forgiveness or forbear-
9 ance programs authorized by the Higher Edu-
10 cation Act of 1965 related to community serv-
11 ice.

12 “(c) POWERS.—In addition to the authority conferred
13 on the President under any other provision of this Act,
14 the President may—

15 “(1) establish, alter, consolidate, or discontinue
16 such organizational units or components within the
17 Corporation as the President considers necessary or
18 appropriate, consistent with Federal law, and shall,
19 to the maximum extent practicable, consolidate such
20 units or components of the division of the Corpora-
21 tion that carries out volunteer service programs and
22 the division of the Corporation that carries out fi-
23 nancial assistance programs as may be appropriate
24 to enable the two divisions to coordinate common

1 support functions, such as recruiting, public aware-
2 ness, or training functions;

3 “(2) with the approval of the President of the
4 United States, arrange with and reimburse the
5 heads of other Federal agencies for the performance
6 of any of the provisions of this Act;

7 “(3) with their consent, utilize the services and
8 facilities of Federal agencies with or without reim-
9 bursement, and, with the consent of any State, or
10 political subdivision of a State, accept and utilize the
11 services and facilities of the agencies of such State
12 or subdivisions without reimbursement;

13 “(4) allocate and expend funds made available
14 under this Act, including expenditure for construc-
15 tion, repairs, and capital improvements;

16 “(5) disseminate, without regard to the provi-
17 sions of section 3204 of title 39, United States
18 Code, data and information, in such form as the
19 President shall determine to be appropriate to public
20 agencies, private organizations, and the general pub-
21 lic;

22 “(6) collect or compromise all obligations to or
23 held by the President and all legal or equitable
24 rights accruing to the President in connection with
25 the payment of obligations in accordance with chap-

1 ter 37 of title 31, United States Code (commonly
2 known as the 'Federal Claims Collection Act of
3 1966');

4 “(7) expend funds made available for purposes
5 of this Act for rent of buildings and space in build-
6 ings and for repair, alteration, and improvement of
7 buildings and space in buildings rented by the Presi-
8 dent;

9 “(8) file a civil action in any court of record of
10 a State having general jurisdiction or in any district
11 court of the United States, with respect to a claim
12 arising under this Act;

13 “(9) exercise the authorities of the Corporation
14 under section 196;

15 “(10) consolidate the reports to Congress re-
16 quired under this Act, and the report required under
17 section 9106 of title 31, United States Code, into a
18 single report, and submit the report to Congress on
19 an annual basis; and

20 “(11) generally perform such functions and
21 take such steps consistent with the objectives and
22 provisions of this Act, as the President determines
23 to be necessary or appropriate to carry out such pro-
24 visions.

25 “(d) DELEGATION.—

1 “(1) DEFINITION.—As used in this subsection,
2 the term ‘function’ means any duty, obligation,
3 power, authority, responsibility, right, privilege, ac-
4 tivity, or program.

5 “(2) IN GENERAL.—Except as otherwise pro-
6 hibited by law or provided in this Act, the President
7 may delegate any function under this Act, and au-
8 thorize such successive redelegations of such func-
9 tion as may be necessary or appropriate. No delega-
10 tion of a function by the President under this sub-
11 section or under any other provision of this Act shall
12 relieve such President of responsibility for the ad-
13 ministration of such function.

14 “(3) FUNCTION OF BOARD.—The President
15 may not delegate a function of the Board without
16 the permission of the Board.

17 “(e) ACTIONS.—In an action described in subsection
18 (c)(8)—

19 “(1) a district court referred to in such sub-
20 section shall have jurisdiction of such a civil action
21 without regard to the amount in controversy;

22 “(2) such an action brought by the President
23 shall survive notwithstanding any change in the per-
24 son occupying the office of President or any vacancy
25 in that office;

1 “(3) no attachment, injunction, garnishment, or
2 other similar process, mesne or final, shall be issued
3 against the President or the Board or property
4 under the control of the President or the Board; and

5 “(4) nothing in this section shall be construed
6 to except litigation arising out of activities under
7 this Act from the application of sections 509, 517,
8 547, and 2679 of title 28, United States Code.

9 **“SEC. 194. OFFICERS.**

10 “(a) MANAGING DIRECTORS.—

11 “(1) IN GENERAL.—There shall be in the Cor-
12 poration 2 Managing Directors, who shall be ap-
13 pointed by the President of the United States, by
14 and with the advice and consent of the Senate, and
15 who shall report to the President.

16 “(2) COMPENSATION.—The Managing Direc-
17 tors shall be compensated at the rate provided for
18 level IV of the Executive Schedule under section
19 5315 of title 5, United States Code.

20 “(3) DUTIES.—

21 “(A) VOLUNTEER SERVICE PROGRAMS.—
22 One of the Managing Directors shall be pri-
23 marily responsible for the volunteer service pro-
24 grams carried out by the Corporation.

1 “(B) INVESTMENT PROGRAMS.—The other
2 Managing Director shall be primarily respon-
3 sible for the financial assistance programs car-
4 ried out by the Corporation.

5 “(b) INSPECTOR GENERAL.—

6 “(1) OFFICE.—There shall be in the Corpora-
7 tion an Office of the Inspector General.

8 “(2) APPOINTMENT.—The Office shall be head-
9 ed by an Inspector General, appointed in accordance
10 with the Inspector General Act of 1978.

11 “(3) COMPENSATION.—The Inspector General
12 shall be compensated at the rate provided for level
13 IV of the Executive Schedule under section 5315 of
14 title 5, United States Code.

15 “(c) CHIEF FINANCIAL OFFICER.—

16 “(1) OFFICE.—There shall be in the Corpora-
17 tion a Chief Financial Officer, who shall be ap-
18 pointed by the President of the United States, by
19 and with the advice and consent of the Senate.

20 “(2) COMPENSATION.—The Chief Financial Of-
21 ficer shall be compensated at the rate provided for
22 level IV of the Executive Schedule under section
23 5315 of title 5, United States Code.

24 “(3) DUTIES.—The Chief Financial Officer
25 shall—

1 “(A) report directly to the President re-
2 garding financial management matters;

3 “(B) oversee all financial management ac-
4 tivities relating to the programs and operations
5 of the Corporation;

6 “(C) develop and maintain an integrated
7 accounting and financial management system
8 for the Corporation, including financial report-
9 ing and internal controls;

10 “(D) develop and maintain any joint finan-
11 cial management systems with the Department
12 of Education necessary to carry out the pro-
13 grams of the Corporation; and

14 “(E) direct, manage, and provide policy
15 guidance and oversight of the financial manage-
16 ment personnel, activities, and operations of the
17 Corporation.

18 **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER-**
19 **SONNEL.**

20 “(a) EMPLOYEES.—

21 “(1) IN GENERAL.—Except as provided in sec-
22 tion 194(b)(4), it is within the exclusive discretion of
23 the President to appoint and determine the com-
24 pensation of such employees as the President deter-

1 mines to be necessary to carry out the duties of the
2 Corporation.

3 “(2) CIVIL SERVICE PROTECTIONS.—

4 “(A) IN GENERAL.—Except as provided in
5 subparagraph (B), the provisions of title 5,
6 United States Code, shall apply with respect to
7 the Corporation and the employees of the Cor-
8 poration.

9 “(B) APPOINTMENT AND COMPENSA-
10 TION.—Except as provided in section 194(b)(4),
11 it is within the exclusive discretion of the Presi-
12 dent to appoint and determine the compensa-
13 tion of employees under this subsection without
14 regard to the provisions of title 5, United
15 States Code, governing appointments in the
16 competitive service, and without regard to the
17 provisions of chapter 51 and subchapter III of
18 chapter 53 of such title relating to classification
19 and General Schedule pay rates (other than the
20 provisions described in clauses (iii) and (iv) of
21 paragraph (4)(B)).

22 “(3) APPOINTMENT IN THE COMPETITIVE
23 SERVICE AFTER EMPLOYMENT IN THE CORPORA-
24 TION.—

1 “(A) EMPLOYEES WITH NOT LESS THAN 3
2 YEARS OF EMPLOYMENT.—If an employee,
3 other than a representative described in sub-
4 section (b), is separated from the Corporation
5 (other than by removal for cause), and has been
6 continuously employed by the Corporation for a
7 period of not less than 3 years, such period
8 shall be treated as a period of service in the
9 competitive service for purposes of chapter 33
10 of title 5, United States Code.

11 “(B) EMPLOYEES WITH NOT LESS THAN 1
12 BUT LESS THAN 3 YEARS OF EMPLOYMENT.—
13 If an employee, other than a representative de-
14 scribed in subsection (b), is separated from the
15 Corporation (other than by removal for cause),
16 and has been continuously employed by the
17 Corporation for a period of not less than 1
18 year, but less than 3 years, such period shall be
19 treated as a period of service in the competitive
20 service for purposes of chapter 33 of title 5,
21 United States Code, until the date that is 3
22 years after the date of separation.

23 “(C) DEFINITION.—As used in this para-
24 graph, the term ‘competitive service’ has the

1 meaning given the term in section 2102 of title
2 5, United States Code.

3 “(4) APPOINTMENT AND COMPENSATION.—

4 “(A) IN GENERAL.—The Chairperson shall
5 appoint and determine the compensation of em-
6 ployees referred to in paragraph (1), in accord-
7 ance with the appointment and compensation
8 systems referred to in subparagraph (B).

9 “(B) CORPORATION APPOINTMENT AND
10 COMPENSATION SYSTEMS.—

11 “(i) ESTABLISHMENT OF SYSTEM.—

12 The President, after reviewing the ap-
13 proved proposal of the Board under section
14 192A(g)(3) and after obtaining the ap-
15 proval of the Director of the Office of Per-
16 sonnel Management, shall issue regulations
17 establishing appointment and compensa-
18 tion systems for the Corporation.

19 “(ii) CONTENT AND CONSIDER-
20 ATIONS.—In issuing such regulations, the
21 President shall—

22 “(I) establish appropriate ap-
23 pointment and compensation mecha-
24 nisms for the representatives de-
25 scribed in subsection (b); and

1 “(II) take into consideration the
2 need for flexibility in such a system.

3 “(iii) APPOINTMENT SYSTEM.—The
4 appointment system shall require that the
5 appointment of such an employee be—

6 “(I) on the basis of the qualifica-
7 tions of applicants and the require-
8 ments of the position, in accordance
9 with the merit system principles set
10 forth in section 2301(b) of title 5,
11 United States Code; and

12 “(II) through a competitive proc-
13 ess.

14 “(iv) COMPENSATION SYSTEM.—

15 “(I) IN GENERAL.—The com-
16 pensation system shall include a
17 scheme for the classification of posi-
18 tions in the Corporation. The system
19 shall require that the compensation of
20 such an employee be determined based
21 in part on the job performance of the
22 employee, and in a manner consistent
23 with the principles described in sec-
24 tion 5301 of title 5, United States
25 Code.

1 “(II) LIMITATION ON EMPLOYEE
2 COMPENSATION.—The rate of com-
3 pensation for each employee com-
4 pensated through the system shall not
5 exceed the annual rate of basic pay
6 payable for level IV of the Executive
7 Schedule under section 5315 of title
8 5, United States Code.

9 “(III) LIMITATION ON COM-
10 PENSATION OF REPRESENTATIVE.—
11 The rate of pay for a representative
12 described in subsection (b) shall not
13 exceed the maximum rate of basic pay
14 payable for grade GS-13 of the Gen-
15 eral Schedule under section 5332 of
16 title 5, United States Code.

17 “(5) RETENTION OF CIVIL SERVICE RIGHTS.—

18 “(A) RETENTION OF COMPETITIVE SERV-
19 ICE RIGHTS.—An individual who—

20 “(i) was an employee of ACTION or
21 the Commission on National and Commu-
22 nity Service who served under a permanent
23 appointment on the day before the date of
24 enactment of this subtitle in—

1 “(I) a position in the competitive
2 service; or

3 “(II) a career appointee position
4 in the Senior Executive Service;

5 “(ii) is transferred to the Corporation
6 under section 202(c) or 203(c) of the Na-
7 tional and Community Service Trust Act of
8 1993; and

9 “(iii) accepts a position established
10 under paragraph (4) in the Corporation,
11 shall be appointed to a position in the competi-
12 tive service of the Corporation.

13 “(B) DURATION OF POSITION IN COMPETI-
14 TIVE SERVICE.—During the period of employ-
15 ment of such an employee in a position, the po-
16 sition shall be a position in the competitive
17 service. After such period of employment, the
18 position shall be a position in the excepted serv-
19 ice unless the President appoints an individual
20 to such position in accordance with the provi-
21 sions described in subsection (a)(2).

22 “(C) ESTABLISHMENT OF POSITIONS.—
23 With respect to a position vacancy or a position
24 to be established in the Corporation, the
25 President—

1 “(i) shall select the individual to be
2 appointed to such position in accordance
3 with the regulations promulgated under
4 paragraph (4);

5 “(ii) if the individual to be appointed
6 to the position is an individual described in
7 subparagraph (A), shall establish the posi-
8 tion as a position in the competitive serv-
9 ice; and

10 “(iii) if the individual to be so ap-
11 pointed is not an individual described in
12 subparagraph (A)—

13 “(I) may establish the position as
14 a position in the excepted service; and

15 “(II) in an exceptional case in
16 which the individual, immediately
17 prior to accepting the position, served
18 under a permanent appointment in a
19 position described in subclause (I) or
20 (II) of subparagraph (A)(i), may es-
21 tablish the position as a position in
22 the competitive service,

23 in any case in which an individual described in
24 subparagraph (A) is an employee of the Cor-

1 poration and is eligible to be appointed to such
2 position.

3 “(D) DEFINITIONS.—As used in this para-
4 graph:

5 “(i) COMPETITIVE SERVICE.—The
6 term ‘competitive service’ has the meaning
7 given the term in section 2102 of title 5,
8 United States Code.

9 “(ii) EXCEPTED SERVICE.—The term
10 ‘excepted service’ has the meaning given
11 the term in section 2103 of title 5, United
12 States Code.

13 “(iii) SENIOR EXECUTIVE SERVICE.—
14 The term ‘Senior Executive Service’ has
15 the meaning given the term in section
16 2101a of title 5, United States Code.

17 “(b) CORPORATION REPRESENTATIVE IN EACH
18 STATE.—

19 “(1) DESIGNATION OF REPRESENTATIVE.—The
20 Corporation shall designate 1 employee of the Cor-
21 poration for each State or group of States to serve
22 as the representative of the Corporation in the State
23 or States and to assist the Corporation in carrying
24 out the activities described in this Act in the State
25 or States.

1 “(2) DUTIES.—The representative designated
2 under this subsection for a State or group of States
3 shall serve as the liaison between—

4 “(A) the Corporation and the State Com-
5 mission that is established in the State or
6 States;

7 “(B) the Corporation and any subdivision
8 of a State, Indian tribe, public or private non-
9 profit organization, or institution of higher edu-
10 cation, in the State or States, that is awarded
11 a grant under section 121 directly from the
12 Corporation; and

13 “(C) the State Commission and the Cor-
14 poration employee responsible for volunteer
15 service programs in the State, if the employee
16 is not the representative described in paragraph
17 (1) for the State.

18 “(3) MEMBER OF STATE COMMISSION.—The
19 representative designated under this subsection for a
20 State or group of States shall also serve as an ex
21 officio nonvoting member of the State Commission
22 established in the State or States.

23 “(c) CONSULTANTS.—The President may procure the
24 temporary and intermittent services of experts and con-
25 sultants and compensate the experts and consultants in

1 accordance with section 3109(b) of title 5, United States
2 Code.

3 “(d) DETAILS OF PERSONNEL.—The head of any
4 Federal department or agency may detail on a reimburs-
5 able basis, or on a nonreimbursable basis for not to exceed
6 180 calendar days during any fiscal year, as agreed upon
7 by the President and the head of the Federal agency, any
8 of the personnel of that department or agency to the Cor-
9 poration to assist the Corporation in carrying out the du-
10 ties of the Corporation under this Act. Any detail shall
11 not interrupt or otherwise affect the civil service status
12 or privileges of the Federal employee.

13 “(e) ADVISORY COMMITTEES.—

14 “(1) ESTABLISHMENT.—The President, acting
15 upon the recommendation of the Board, may estab-
16 lish advisory committees in the Corporation to advise
17 the Board with respect to national service issues,
18 such as the type of programs to be established or as-
19 sisted under the national service laws, priorities and
20 criteria for such programs, and methods of conduct-
21 ing outreach for, and evaluation of, such programs.

22 “(2) COMPOSITION.—Such an advisory commit-
23 tee shall be composed of members appointed by the
24 President, with such qualifications as the President
25 may specify.

1 “(3) EXPENSES.—Members of such an advisory
2 committee may be allowed travel expenses as de-
3 scribed in section 192A(d).

4 “(4) STAFF.—The President is authorized to
5 appoint and fix the compensation of such staff as
6 the President determines to be necessary to carry
7 out the functions of the advisory committee, in ac-
8 cordance with subsection (a)(2), and without regard
9 to the selection and compensation systems described
10 in subsection (a)(4)(B). Such compensation shall not
11 exceed the rate described in subsection
12 (a)(4)(B)(iv)(III).

13 **“SEC. 196. ADMINISTRATION.**

14 “(a) DONATIONS.—

15 “(1) SERVICES.—

16 “(A) VOLUNTEERS.—Notwithstanding sec-
17 tion 1342 of title 31, United States Code, the
18 Corporation may solicit and accept the vol-
19 untary services of individuals to assist the Cor-
20 poration in carrying out the duties of the Cor-
21 poration under this Act, and may provide to
22 such individuals the travel expenses described in
23 section 192A(d).

24 “(B) LIMITATION.—Such a volunteer shall
25 not be considered to be a Federal employee and

1 shall not be subject to the provisions of law re-
2 lating to Federal employment, including those
3 relating to hours of work, rates of compensa-
4 tion, leave, unemployment compensation, and
5 Federal employee benefits, except that—

6 “(i) for the purposes of the tort
7 claims provisions of chapter 171 of title
8 28, United States Code, a volunteer under
9 this subtitle shall be considered to be a
10 Federal employee;

11 “(ii) for the purposes of subchapter I
12 of chapter 81 of title 5, United States
13 Code, relating to compensation to Federal
14 employees for work injuries, volunteers
15 under this subtitle shall be considered to
16 be employees, as defined in section
17 8101(1)(B) of title 5, United States Code,
18 and the provisions of such subchapter shall
19 apply; and

20 “(iii) for purposes of the provisions of
21 chapter 11 of part I of title 18, United
22 States Code, such a volunteer (to whom
23 such provisions would not otherwise apply
24 except for this subsection) shall be a spe-
25 cial Government employee.

1 “(C) INHERENTLY GOVERNMENTAL FUNC-
2 TION.—

3 “(i) IN GENERAL.—Such a volunteer
4 shall not carry out an inherently govern-
5 mental function.

6 “(ii) REGULATIONS.—The President
7 shall promulgate regulations to carry out
8 this subparagraph.

9 “(iii) INHERENTLY GOVERNMENTAL
10 FUNCTION.—As used in this subparagraph,
11 the term ‘inherently governmental func-
12 tion’ means any activity that is so inti-
13 mately related to the public interest as to
14 mandate performance by an officer or em-
15 ployee of the Federal Government, includ-
16 ing an activity that requires either the ex-
17 ercise of discretion in applying the author-
18 ity of the Government or the use of value
19 judgment in making a decision for the
20 Government.

21 “(2) PROPERTY.—

22 “(A) IN GENERAL.—The Corporation may
23 solicit, accept, hold, administer, use, and dis-
24 pose of, in furtherance of the purposes of this
25 Act, donations of any money or property, real,

1 personal, or mixed, tangible or intangible, re-
2 ceived by gift, devise, bequest, or otherwise. Do-
3 nations accepted under this subparagraph shall
4 be used as nearly as possible in accordance with
5 the terms, if any, of such donation.

6 “(B) TAX.—For purposes of Federal in-
7 come, estate, and gift taxes, money or property
8 accepted under subparagraph (A) shall be con-
9 sidered to be a gift, devise, or bequest to, or for
10 the use of, the United States.

11 “(C) RULES.—The President shall estab-
12 lish written rules to ensure that the solicitation,
13 acceptance, holding, administration, and use of
14 property described in subparagraph (A)—

15 “(i) will not reflect unfavorably upon
16 the ability of the Corporation, or of any of-
17 ficer or employee of the Corporation, to
18 carry out the responsibilities or official du-
19 ties of the Corporation in a fair and objec-
20 tive manner; and

21 “(ii) will not compromise the integrity
22 of the programs of the Corporation or any
23 official or employee of the Corporation in-
24 volved in such programs.

1 “(D) DISPOSITION.—Upon completion of
2 the use by the Corporation of any property ac-
3 cepted pursuant to subparagraph (A) (other
4 than money or monetary proceeds from sales of
5 property so accepted), such completion shall be
6 reported to the General Services Administration
7 and such property shall be disposed of in ac-
8 cordance with title II of the Federal Property
9 and Administrative Services Act of 1949 (40
10 U.S.C. 481 et seq.).

11 “(3) VOLUNTEER.—As used in this subsection,
12 the term ‘volunteer’ does not include a participant.

13 “(b) CONTRACTS.—Subject to the Federal Property
14 and Administrative Services Act of 1949, the Corporation
15 may enter into contracts, and cooperative and interagency
16 agreements, with Federal and State agencies, private
17 firms, institutions, and individuals to conduct activities
18 necessary to assist the Corporation in carrying out the du-
19 ties of the Corporation under this Act.

20 “(c) OFFICE OF MANAGEMENT AND BUDGET.—Ap-
21 propriate circulars of the Office of Management and
22 Budget shall apply to the Corporation.”.

23 (b) DOMESTIC VOLUNTEER SERVICE ACT OF
24 1973.—Section 401 of the Domestic Volunteer Service Act
25 of 1973 (42 U.S.C. 5041) is amended by inserting after

1 the second sentence the following: "The Director shall re-
2 port directly to the President of the Corporation for Na-
3 tional and Community Service."

4 (c) TRANSFER OF FUNCTIONS OF COMMISSION ON
5 NATIONAL AND COMMUNITY SERVICE.—

6 (1) DEFINITIONS.—For purposes of this sub-
7 section, unless otherwise provided or indicated by
8 the context, each term specified in section 203(c)(1)
9 shall have the meaning given the term in such sec-
10 tion.

11 (2) TRANSFER OF FUNCTIONS.—There are
12 transferred to the Corporation the functions that the
13 Board of Directors or Executive Director of the
14 Commission on National and Community Service ex-
15 exercised before the effective date of this subsection
16 (including all related functions of any officer or em-
17 ployee of the Commission).

18 (3) APPLICATION.—The provisions of para-
19 graphs (3) through (10) of section 203(c) shall
20 apply with respect to the transfer described in para-
21 graph (2), except that—

22 (A) for purposes of such application, ref-
23 erences to the term "ACTION Agency" shall be
24 deemed to be references to the Commission on
25 National and Community Service; and

1 (B) paragraph (10) of such section shall
2 not preclude the transfer of the members of the
3 Board of Directors of the Commission to the
4 Corporation if, on the effective date of this sub-
5 section, the Board of Directors of the Corpora-
6 tion has not been confirmed.

7 (d) CONTINUING PERFORMANCE OF CERTAIN FUNC-
8 TIONS.—The individuals who, on the day before the date
9 of enactment of this Act, are performing any of the func-
10 tions required by section 190 of the National and Commu-
11 nity Service Act of 1990 (42 U.S.C. 12651), as in effect
12 on such date, to be performed by the members of the
13 Board of Directors of the Commission on National and
14 Community Service may, subject to section 193A of the
15 National and Community Service Act of 1990, as added
16 by subsection (a) of this section, continue to perform such
17 functions until the date on the Board of Directors of the
18 Corporation for National and Community Service con-
19 ducts the first meeting of the Board. The service of such
20 individuals as members of the Board of Directors of such
21 Commission, and the employment of such individuals as
22 special government employees, shall terminate on such
23 date.

24 (e) JOB SEARCH ASSISTANCE.—The President of the
25 Corporation shall establish a program to provide, or shall

1 seek to enter into a memorandum of understanding with
2 the Director of the Office of Personnel Management to
3 provide, job search and related assistance to employees of
4 the ACTION agency who are not transferred to the Cor-
5 poration for National and Community Service under sec-
6 tion 203(c). The President of the Corporation shall make
7 available funds appropriated under section 501(a)(4) of
8 the National and Community Service Act of 1990 in order
9 to provide such assistance.

10 (f) GOVERNMENT CORPORATION CONTROL.—

11 (1) WHOLLY OWNED GOVERNMENT CORPORA-
12 TION.—Section 9101(3) of title 31, United States
13 Code, is amended by inserting after subparagraph
14 (D) the following:

15 “(E) the Corporation for National and
16 Community Service.”.

17 (2) AUDITS.—Section 9105(a)(1) of title 31,
18 United States Code, is amended by inserting “, or
19 under other Federal law,” before “or by an inde-
20 pendent”.

21 (g) DISPOSAL OF PROPERTY.—Section 203(k) of the
22 Federal Property and Administrative Services Act of 1949
23 (40 U.S.C. 484(k)) is amended by adding at the end the
24 following:

1 “(5)(A) Under such regulations as the Administrator
2 may prescribe, the Administrator is authorized, in the dis-
3 cretion of the Administrator, to assign to the President
4 of the Corporation for National and Community Service
5 for disposal such surplus property as is recommended by
6 the President as being needed for national service activi-
7 ties.

8 “(B) Subject to the disapproval of the Administrator,
9 within 30 days after notice to the Administrator by the
10 President of the Corporation for National and Community
11 Service of a proposed transfer of property for such activi-
12 ties, the President, through such officers or employees of
13 the Corporation as the President may designate, may sell,
14 lease, or donate such property to any entity that receives
15 financial assistance under the National and Community
16 Service Act of 1990 for such activities.

17 “(C) In fixing the sale or lease value of such property,
18 the President of the Corporation for National and Com-
19 munity Service shall comply with the requirements of
20 paragraph (1)(C).”.

21 (h) INSPECTOR GENERAL.—

22 (1) SPECIAL PROVISIONS IN INSPECTOR GEN-
23 ERAL ACT OF 1978.—The Inspector General Act of
24 1978 (5 U.S.C. App.) is amended by redesignating
25 sections 8E and 8F as sections 8F and 8G, respec-

1 tively, and inserting after section 8D the following
2 new section:

3 “SPECIAL PROVISIONS CONCERNING THE CORPORATION
4 FOR NATIONAL AND COMMUNITY SERVICE

5 “SEC. 8E. (a) Notwithstanding the provisions of sec-
6 tions 6(a) (7) and (8), it is within the exclusive jurisdiction
7 of the Inspector General of the Corporation for National
8 and Community Service to—

9 “(1) appoint and determine the compensation of
10 such officers and employees in accordance with sec-
11 tion 195(a)(4) of the National and Community Serv-
12 ice Trust Act of 1993; and

13 “(2) procure the temporary and intermittent
14 services of and compensate such experts and consult-
15 ants, in accordance with section 3109(b) of title 5,
16 United States Code,

17 as may be necessary to carry out the functions, powers,
18 and duties of the Inspector General.

19 “(b) No later than the date on which the President
20 of the Corporation for National and Community Service
21 transmits any report to the Congress under section 5 (a)
22 or (b), the President shall transmit such report to the
23 Board of Directors of such Corporation.

24 “(c) No later than the date on which the President
25 of the Corporation for National and Community Service
26 transmits a report described under section 5(b) to the

1 Board of Directors as provided under subsection (b) of
2 this section, the President shall also transmit any audit
3 report which is described in the statement required under
4 section 5(b)(4) to the Board of Directors. All such audit
5 reports shall be placed on the agenda for review at the
6 next scheduled meeting of the Board of Directors following
7 such transmittal. The President of the Corporation shall
8 be present at such meeting to provide any information re-
9 lating to such audit reports.

10 “(d) No later than the date on which the Inspector
11 General of the Corporation for National and Community
12 Service reports a problem, abuse, or deficiency under sec-
13 tion 5(d) to the President of the Corporation, the Presi-
14 dent shall report such problem, abuse, or deficiency to the
15 Board of Directors.”.

16 (2) TERMINATION OF STATUS AS DESIGNATED
17 FEDERAL ENTITY.—

18 (A) IN GENERAL.—Section 8F(a)(2) of the
19 Inspector General Act of 1978 (5 U.S.C. App.)
20 (as redesignated by paragraph (1) of this sub-
21 section) is amended by striking out “AC-
22 TION,”.

23 (B) EFFECTIVE DATE.—This paragraph
24 shall take effect on the effective date of section
25 203(c)(2).

1 (3) TRANSFER.—

2 (A) IN GENERAL.—Section 9(a)(1) of the
3 Inspector General Act of 1978 (5 U.S.C. App.)
4 is amended—

5 (i) in subparagraph (T), by striking
6 out “and” at the end thereof; and

7 (ii) by adding at the end thereof the
8 following new subparagraph:

9 “(V) of the Corporation for National and
10 Community Service, the Office of Inspector
11 General of ACTION; and”.

12 (B) EFFECTIVE DATE.—This paragraph
13 shall take effect on the effective date of section
14 203(c)(2).

15 (4) HEAD OF ESTABLISHMENT AND ESTABLISH-
16 MENT.—Section 11 of the Inspector General Act of
17 1978 (5 U.S.C. App.) is amended—

18 (A) in paragraph (1) by inserting “; the
19 President of the Corporation for National and
20 Community Service;” after “Thrift Depositor
21 Protection Oversight Board”; and

22 (B) in paragraph (2) by inserting “, the
23 Corporation for National and Community Serv-
24 ice,” after “United States Information Agen-
25 cy”.

1 (5) TECHNICAL AND CONFORMING AMEND-
2 MENTS TO THE INSPECTOR GENERAL ACT OF 1978.—
3 The Inspector General Act of 1978 (5 U.S.C. App.)
4 is amended—

5 (A) in section 4(b)(2)—

6 (i) by striking out “section 8E(a)(2),
7 and any” and inserting in lieu thereof
8 “section 8F(a)(2), and any”;

9 (ii) by striking out “section 8E(a)(1)”
10 and inserting in lieu thereof “section
11 8F(a)(1)”;

12 (iii) by striking out “section
13 8E(a)(2).” and inserting in lieu thereof
14 “section 8F(a)(2).”; and

15 (B) section 8G (as redesignated by para-
16 graph (1) of this subsection)—

17 (i) by striking out “or 8D” and in-
18 serting in lieu thereof “8D, or 8E”; and

19 (ii) by striking out “section 8E(a)”
20 and inserting in lieu thereof “section
21 8F(a)”.

22 (6) POSTAL SERVICE TECHNICAL AND CON-
23 FORMING AMENDMENTS.—Section 410(b) of title 39,
24 United States Code, is amended—

1 (A) in paragraph (8) by striking out “and”
2 after the semicolon;

3 (B) in the first paragraph (9) by striking
4 out the period and inserting in lieu thereof a
5 semicolon and “and”; and

6 (C) by striking out the second paragraph
7 (9) and inserting in lieu thereof the following:

8 “(10) the provisions of section 8F of the In-
9 spector General Act of 1978.”.

10 (i) TABLE OF CONTENTS.—Section 1(b) of the Na-
11 tional and Community Service Act of 1990 (Public Law
12 101–610; 104 Stat. 3127) is amended by striking the
13 items relating to subtitle G of title I of such Act and in-
14 serting 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.”.

15 (j) EFFECTIVE DATES.—

16 (1) IN GENERAL.—Except as provided in para-
17 graph (2) or subsection (h)(2) or (3), the amend-
18 ments made by this section shall take effect on Octo-
19 ber 1, 1993.

20 (2) ESTABLISHMENT AND APPOINTMENT AU-
21 THORITIES.—Sections 191, 192, and 193 of the Na-

1 tional and Community Service Act of 1990, as added
2 by subsection (a), shall take effect on the date of
3 enactment of this Act.

4 **SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR**
5 **NATIONAL AND COMMUNITY SERVICE.**

6 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
7 1990.—

8 (1) APPLICATION.—

9 (A) EVALUATION.—Subsections (a), (d),
10 and (e) of section 179 of the National and
11 Community Service Act of 1990 (42 U.S.C.
12 12639) is amended by striking “this title” and
13 inserting “the national service laws”.

14 (B) CORPORATION.—Subtitle I of the Na-
15 tional and Community Service Act of 1990 (as
16 amended by section 202 of this Act) is amended
17 in section 191, section 192A(g)(5), section
18 193(c), subsections (b) (other than paragraph
19 (10)), (c) (other than paragraph (8)), and (d)
20 of section 193A, subsections (b) and (d) of sec-
21 tion 195, and subsections (a) and (b) of section
22 196, by striking “this Act” each place the term
23 appears and inserting “the national service
24 laws”.

1 (2) GRANTS.—Section 192A(g) of the National
2 and Community Service Act of 1990 (as added by
3 section 202 of this Act) is amended—

4 (A) by striking “and” at the end of para-
5 graph (8);

6 (B) by redesignating paragraph (9) as
7 paragraph (10); and

8 (C) by inserting after paragraph (8) the
9 following:

10 “(9) notwithstanding any other provision of
11 law, make grants to or contracts with Federal or
12 other public departments or agencies and private
13 nonprofit organizations for the assignment or refer-
14 ral of volunteers under the provisions of the Domes-
15 tic Volunteer Service Act of 1973 (except as pro-
16 vided in section 108 of the Domestic Volunteer Serv-
17 ice Act of 1973), which may provide that the agency
18 or organization shall pay all or a part of the costs
19 of the program; and”.

20 (3) RECRUITMENT AND PUBLIC AWARENESS
21 FUNCTIONS.—Section 193A of the National and
22 Community Service Act of 1993 (as added by section
23 202 of this Act) is amended by adding at the end
24 the following:

1 “(f) RECRUITMENT AND PUBLIC AWARENESS FUNC-
2 TIONS.—

3 “(1) EFFORT.—The President shall ensure that
4 the Corporation, in carrying out the recruiting and
5 public awareness functions of the Corporation, shall
6 expend at least the level of effort on recruitment and
7 public awareness activities related to the programs
8 referred to in section 194(a)(3)(A) as ACTION ex-
9 pended on recruitment and public awareness activi-
10 ties related to programs under the Domestic Volun-
11 teer Service Act of 1973 during fiscal year 1993.

12 “(2) PERSONNEL.—The President shall assign
13 or hire, as necessary, such additional national, re-
14 gional, and State personnel to carry out such re-
15 cruiting and public awareness functions as may be
16 necessary to ensure that such functions are carried
17 out in a timely and effective manner. The President
18 shall give priority in the hiring of such additional
19 personnel to individuals who have formerly served as
20 volunteers in the programs referred to in section
21 194(a)(3)(A), or similar programs, and to individual
22 who have specialized experience in the recruitment of
23 volunteers.

24 “(3) FUNDS.—For the first fiscal year after the
25 effective date of this subsection, and for each fiscal

1 year thereafter, for the purpose of carrying out such
2 recruiting and public awareness functions, the Presi-
3 dent shall obligate not less than 1.5 percent of the
4 amounts appropriated for the fiscal year under sec-
5 tion 501(a) of the Domestic Volunteer Service Act of
6 1973.”.

7 (4) ASSISTANT DIRECTORS.—Section 194 of the
8 National and Community Service Act of 1990 (as
9 added by section 202 of this Act) is amended by
10 adding at the end the following:

11 “(d) ASSISTANT DIRECTORS.—

12 “(1) IN GENERAL.—There shall be in the Cor-
13 poration four Assistant Directors, each of whom
14 shall be appointed by the President, and who shall
15 report directly to the Managing Director described
16 in subsection (a)(3)(A).

17 “(2) DUTIES.—

18 “(A) VISTA AND OTHER ANTIPOVERTY
19 PROGRAMS.—One of the Assistant Directors
20 shall be primarily responsible for the VISTA
21 and other antipoverty programs under title I of
22 the Domestic Volunteer Service Act of 1973.

23 “(B) RETIRED AND SENIOR VOLUNTEER
24 PROGRAMS.—One of the Assistant Directors
25 shall be primarily responsible for the Retired

1 and Senior Volunteer Program established
2 under part A of title II of such Act.

3 “(C) FOSTER GRANDPARENT PROGRAM.—
4 One of the Assistant Directors shall be pri-
5 marily responsible for the Foster Grandparent
6 Program established under part B of title II of
7 such Act.

8 “(D) SENIOR COMPANION PROGRAM.—One
9 of the Assistant Directors shall be primarily re-
10 sponsible for the Senior Companion Program
11 established under part C of title II of such
12 Act.”.

13 (b) AUTHORITIES OF ACTION AGENCY.—Sections
14 401 and 402 of the Domestic Volunteer Service Act of
15 1973 (42 U.S.C. 5041 and 5042) are repealed.

16 (c) TRANSFER OF FUNCTIONS FROM ACTION
17 AGENCY.—

18 (1) DEFINITIONS.—For purposes of this sub-
19 section, unless otherwise provided or indicated by
20 the context—

21 (A) the term “Corporation” means the
22 Corporation for National and Community Serv-
23 ice, established under section 191 of the Na-
24 tional and Community Service Act of 1990;

1 (B) the term "Federal agency" has the
2 meaning given to the term "agency" by section
3 551(1) of title 5, United States Code;

4 (C) the term "function" means any duty,
5 obligation, power, authority, responsibility,
6 right, privilege, activity, or program;

7 (D) the term "office" includes any office,
8 administration, agency, institute, unit, organi-
9 zational entity, or component thereof; and

10 (E) the term "President", except as used
11 as part of the term "President of the United
12 States", means the President of the Corpora-
13 tion.

14 (2) TRANSFER OF FUNCTIONS.—There are
15 transferred to the Corporation such functions as the
16 President of the United States determines to be ap-
17 propriate that the Director of the ACTION Agency
18 exercised before the effective date of this subsection
19 (including all related functions of any officer or em-
20 ployee of the ACTION Agency).

21 (3) DETERMINATIONS OF CERTAIN FUNCTIONS
22 BY THE OFFICE OF MANAGEMENT AND BUDGET.—
23 The President of the United States may delegate to
24 the Director of the Office of Management and Budg-
25 et the authority to make any determination of the

1 functions that are transferred under paragraph (2),
2 if the President determines that such a delegation
3 would be appropriate.

4 (4) REORGANIZATION.—The President is au-
5 thorized to allocate or reallocate any function trans-
6 ferred under paragraph (2) among the officers of the
7 Corporation, after providing notice of the allocation
8 or reallocation to Congress.

9 (5) TRANSFER AND ALLOCATIONS OF APPRO-
10 PRIATIONS AND PERSONNEL.—Except as otherwise
11 provided in this subsection, the personnel employed
12 in connection with, and the assets, liabilities, con-
13 tracts, property, records, and unexpended balances
14 of appropriations, authorizations, allocations, and
15 other funds employed, used, held, arising from,
16 available to, or to be made available in connection
17 with the functions transferred by this subsection,
18 subject to section 1531 of title 31, United States
19 Code, shall be transferred to the Corporation. Unex-
20 pended funds transferred pursuant to this paragraph
21 shall be used only for the purposes for which the
22 funds were originally authorized and appropriated.

23 (6) INCIDENTAL TRANSFER.—The Director of
24 the Office of Management and Budget is authorized
25 to make such additional incidental dispositions of

1 personnel, assets, liabilities, grants, contracts, prop-
2 erty, records, and unexpended balances of appropria-
3 tions, authorizations, allocations, and other funds
4 held, used, arising from, available to, or to be made
5 available in connection with such functions, as may
6 be necessary to carry out the provisions of this sub-
7 section. The Director of the Office of Management
8 and Budget shall provide for the termination of the
9 affairs of all entities terminated by this subsection
10 and for such further measures and dispositions as
11 may be necessary to effectuate the purposes of this
12 subsection.

13 (7) EFFECT ON PERSONNEL.—

14 (A) IN GENERAL.—Except as otherwise
15 provided by this subsection, the transfer pursu-
16 ant to this subsection of full-time personnel (ex-
17 cept special Government employees) and part-
18 time personnel holding permanent positions
19 shall not cause any such employee to be sepa-
20 rated or reduced in grade or compensation, or
21 to have the benefits of the employee reduced,
22 for 1 year after the date of transfer of such em-
23 ployee under this subsection.

24 (B) EXECUTIVE SCHEDULE POSITIONS.—

25 Except as otherwise provided in this subsection,

1 any person who, on the day preceding the effec-
2 tive date of this subsection, held a position com-
3 pensated in accordance with the Executive
4 Schedule prescribed in chapter 53 of title 5,
5 United States Code, and who, without a break
6 in service, is appointed in the Corporation to a
7 position having duties comparable to the duties
8 performed immediately preceding such appoint-
9 ment shall continue to be compensated in such
10 new position at not less than the rate provided
11 for such previous position, for the duration of
12 the service of such person in such new position.

13 (C) TERMINATION OF CERTAIN POSI-
14 TIONS.—Positions whose incumbents are ap-
15 pointed by the President of the United States,
16 by and with the advice and consent of the Sen-
17 ate, the functions of which are transferred by
18 this subsection, shall terminate on the effective
19 date of this subsection.

20 (8) SAVINGS PROVISIONS.—

21 (A) CONTINUING EFFECT OF LEGAL DOCU-
22 MENTS.—All orders, determinations, rules, reg-
23 ulations, permits, agreements, grants, contracts,
24 certificates, licenses, registrations, privileges,
25 and other administrative actions—

1 (i) that have been issued, made,
2 granted, or allowed to become effective by
3 the President of the United States, any
4 Federal agency or official thereof, or by a
5 court of competent jurisdiction, in the per-
6 formance of functions that are transferred
7 under this subsection; and

8 (ii) that are in effect at the time this
9 subsection takes effect, or were final before
10 the effective date of this subsection and
11 are to become effective on or after the ef-
12 fective date of this subsection,
13 shall continue in effect according to their terms
14 until modified, terminated, superseded, set
15 aside, or revoked in accordance with law by the
16 President of the United States, the President of
17 the Corporation, or other authorized official, a
18 court of competent jurisdiction, or by operation
19 of law.

20 (B) PROCEEDINGS NOT AFFECTED.—The
21 provisions of this subsection shall not affect any
22 proceedings, including notices of proposed rule-
23 making, or any application for any license, per-
24 mit, certificate, or financial assistance pending
25 before the ACTION Agency at the time this

1 subsection takes effect, with respect to func-
2 tions transferred by this subsection. Such pro-
3 ceedings and applications shall be continued.
4 Orders shall be issued in such proceedings, ap-
5 peals shall be taken therefrom, and payments
6 shall be made pursuant to such orders, as if
7 this subsection had not been enacted, and or-
8 ders issued in any such proceedings shall con-
9 tinue in effect until modified, terminated, su-
10 perseded, or revoked by a duly authorized offi-
11 cial, by a court of competent jurisdiction, or by
12 operation of law. Nothing in this subparagraph
13 shall be deemed to prohibit the discontinuance
14 or modification of any such proceeding under
15 the same terms and conditions and to the same
16 extent that such proceeding could have been
17 discontinued or modified if this subsection had
18 not been enacted.

19 (C) SUITS NOT AFFECTED.—The provi-
20 sions of this subsection shall not affect suits
21 commenced before the effective date of this sub-
22 section, and in all such suits, proceedings shall
23 be had, appeals taken, and judgments rendered
24 in the same manner and with the same effect
25 as if this subsection had not been enacted.

1 (D) NONABATEMENT OF ACTIONS.—No
2 suit, action, or other proceeding commenced by
3 or against the ACTION Agency, or by or
4 against any individual in the official capacity of
5 such individual as an officer of the ACTION
6 Agency, shall abate by reason of the enactment
7 of this subsection.

8 (E) ADMINISTRATIVE ACTIONS RELATING
9 TO PROMULGATION OF REGULATIONS.—Any ad-
10 ministrative action relating to the preparation
11 or promulgation of a regulation by the AC-
12 TION Agency relating to a function transferred
13 under this subsection may be continued by the
14 Corporation with the same effect as if this sub-
15 section had not been enacted.

16 (9) SEVERABILITY.—If a provision of this sub-
17 section or its application to any person or cir-
18 cumstance is held invalid, neither the remainder of
19 this subsection nor the application of the provision
20 to other persons or circumstances shall be affected.

21 (10) TRANSITION.—Prior to, or after, any
22 transfer of a function under this subsection, the
23 President is authorized to utilize—

24 (A) the services of such officers, employ-
25 ees, and other personnel of the ACTION Agen-

1 cy with respect to functions that will be or have
2 been transferred to the Corporation by this sub-
3 section; and

4 (B) funds appropriated to such functions
5 for such period of time as may reasonably be
6 needed to facilitate the orderly implementation
7 of this subsection.

8 (d) DEVELOPMENT OF TRANSFER SCHEDULE.—The
9 President of the Corporation for National and Community
10 Service, in consultation with the Director of ACTION,
11 shall, not later than 9 months after the date of enactment
12 of this Act, prepare a schedule that specifies the date on
13 which the employees of ACTION will be notified about—

14 (1) whether their functions will be transferred
15 to the Corporation; and

16 (2) if such functions will be transferred, the
17 date on which the transfer will occur.

18 (e) APPOINTMENT OF ACTION EMPLOYEES.—Dur-
19 ing the period beginning on October 1, 1993 and ending
20 on the effective date of subsection (c)(2), in making ap-
21 pointments to the Corporation under the appointment sys-
22 tem described in section 195(a)(4)(B)(iii) of the National
23 and Community Service Act of 1990, the President of the
24 Corporation for National and Community Service shall en-

1 sure that individuals who are employees of ACTION shall
2 receive fair and equitable treatment.

3 (f) EFFECTIVE DATE.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), this section, and the amendments made
6 by this section, shall take effect—

7 (A) 18 months after the date of enactment
8 of this Act; or

9 (B) on such earlier date (which shall be
10 not earlier than 12 months after the date of the
11 enactment of this Act) as the President of the
12 United States shall determine to be appropriate
13 and announce by proclamation published in the
14 Federal Register.

15 (2) TRANSITION.—Subsections (c)(10), (d), and
16 (e) shall take effect on the date of enactment of this
17 Act.

18 **SEC. 204. BUSINESS PLAN.**

19 (a) BUSINESS PLAN REQUIRED.—

20 (1) IN GENERAL.—The Corporation for Na-
21 tional and Community Service (referred to in this
22 section as the “Corporation”) shall prepare and sub-
23 mit to Congress a business plan. The Corporation
24 may not provide assistance under section 121 of the
25 National and Community Service Act of 1990 before

1 the twentieth day of continuous session of Congress
2 after the date on which the Corporation submits the
3 business plan to Congress.

4 (2) COMPUTATION.—For purposes of the com-
5 putation of the 20-day period referred to in para-
6 graph (1), continuity of a session of the Congress
7 shall be considered to be broken only by—

8 (A) an adjournment of the Congress sine
9 die; and

10 (B) the days on which either House is not
11 in session because of an adjournment of more
12 than 3 days to a date certain.

13 (b) REQUIRED ELEMENTS OF BUSINESS PLAN.—

14 (1) ALLOCATION OF FUNDS.—The business
15 plan shall contain—

16 (A) a description of the manner in which
17 the Corporation will allocate funds for programs
18 carried out by the Corporation after October 1,
19 1993;

20 (B) information on the principal offices
21 and officers of the Corporation that will allocate
22 such funds; and

23 (C) information that indicates how ac-
24 countability for such funds can be determined,

1 in terms of the office or officer responsible for
2 such funds.

3 (2) INVESTIGATIVE AND AUDIT FUNCTIONS.—

4 The business plan shall include a description of the
5 plans of the Corporation—

6 (A) to ensure continuity, during the transi-
7 tion period, and after the transition period, in
8 the investigative and audit functions carried out
9 by the Inspector General of ACTION prior to
10 such period, consistent with the Inspector Gen-
11 eral Act of 1978 (5 U.S.C. App.); and

12 (B) to carry out investigative and audit
13 functions and implement financial management
14 controls regarding programs carried out by the
15 Corporation after October 1, 1993, consistent
16 with the Inspector General Act of 1978, includ-
17 ing a specific description of—

18 (i) the manner in which the Office of
19 Inspector General shall be established in
20 the Corporation, in accordance with section
21 194(b) of the National Community Service
22 Act of 1990, as added by section 202 of
23 this Act; and

24 (ii) the manner in which grants made
25 by the Corporation shall be audited by

1 such Office and the financial management
2 controls that shall apply with regard to
3 such grants and programs.

4 (3) ACCOUNTABILITY MEASURES.—The busi-
5 ness plan shall include a detailed description of the
6 accountability measures to be established by the
7 Corporation to ensure effective control of all funds
8 for programs carried out by the Corporation after
9 October 1, 1993.

10 (4) INFORMATION RESOURCES.—The business
11 plan shall include a description of an information re-
12 source management program that will support the
13 program and financial management needs of the
14 Corporation.

15 (5) CORPORATION STAFFING AND INTEGRATION
16 OF ACTION.—

17 (A) TRANSFERS.—The business plan shall
18 include a report on the progress and plans of
19 the President for transferring the functions,
20 programs, and related personnel of ACTION to
21 the Corporation, and shall include a timetable
22 for the transfer. Not later than 9 months after
23 the date of enactment of this section, the Presi-
24 dent shall identify all functions of ACTION to
25 be transferred to the Corporation.

1 (B) DETAILS AND ASSIGNMENTS.—The re-
2 port shall specify the number of ACTION em-
3 ployees detailed or assigned to the Corporation,
4 and describe the hiring activity of the Corpora-
5 tion, during the transition period.

6 (C) STRUCTURE.—The business plan shall
7 include a description of the organizational
8 structure of the Corporation during the transi-
9 tion period.

10 (D) STAFFING.—The business plan shall
11 include a description of—

12 (i) measures to ensure adequate staff-
13 ing during the transition period with re-
14 spect to programs carried out by the Cor-
15 poration after October 1, 1993; and

16 (ii) the responsibilities and authorities
17 of the Managing Directors and other key
18 personnel of the Corporation.

19 (E) SENIOR EXECUTIVE SERVICE.—The
20 business plan shall include—

21 (i) an explanation of the number of
22 the employees of the Corporation who will
23 be paid at or above the rate of pay for level
24 1 of the Senior Executive Service Schedule

1 under section 5382 of title 5, United
2 States Code; and

3 (ii) information justifying such pay
4 for such employees.

5 (6) DUPLICATION OF FUNCTIONS.—The busi-
6 ness plan shall include a description of the measures
7 that the Corporation is taking or will take to mini-
8 mize duplication of functions in the Corporation
9 caused by the transfer of the functions of the Com-
10 mission on National and Community Service, and
11 the transfer of the functions of ACTION, to the
12 Corporation. This description shall address functions
13 at both the national and State levels.

14 (c) DEFINITION.—The term “transition period”
15 means the period beginning on October 1, 1993 and end-
16 ing on the day before the effective date of section
17 203(c)(2).

18 **TITLE III—REAUTHORIZATION**

19 **Subtitle A—National and** 20 **Community Service Act of 1990**

21 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) IN GENERAL.—Section 501 of the National and
23 Community Service Act of 1990 (42 U.S.C. 12681) is
24 amended to read as follows:

1 **“SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

2 “(a) TITLE I.—

3 “(1) SUBTITLE B.—

4 “(A) IN GENERAL.—There are authorized
5 to be appropriated to provide financial assist-
6 ance under subtitle B of title I, \$45,000,000 for
7 fiscal year 1994 and such sums as may be nec-
8 essary for each of the fiscal years 1995 through
9 1996.

10 “(B) PROGRAMS.—Of the amount appro-
11 priated under subparagraph (A) for a fiscal
12 year—

13 “(i) not more than 63.75 percent shall
14 be available to provide financial assistance
15 under subpart A of part I of subtitle B of
16 title I;

17 “(ii) not more than 11.25 percent
18 shall be available to provide financial as-
19 sistance under subpart B of part I of such
20 subtitle; and

21 “(iii) not more than 25 percent shall
22 be available to provide financial assistance
23 under part II of such subtitle.

24 “(2) SUBTITLES C, D, AND H.—

25 “(A) IN GENERAL.—There are authorized
26 to be appropriated to provide financial assist-

1 ance under subtitles C and H of title I, to pro-
2 vide national service educational awards under
3 subtitle D of title I, and to carry out such au-
4 dits and evaluations as the President or the In-
5 specter General of the Corporation may deter-
6 mine to be necessary, \$300,000,000 for fiscal
7 year 1994, \$500,000,000 for fiscal year 1995,
8 and \$700,000,000 for fiscal year 1996.

9 “(B) PROGRAMS.—Of the amount appro-
10 priated under subparagraph (A) for a fiscal
11 year, up to 15 percent shall be made available
12 to provide financial assistance under sections
13 125 and 126 and under subtitle H of title I.

14 “(3) SUBTITLE E.—There are authorized to be
15 appropriated to provide financial assistance under
16 subtitle E of title I, such sums as may be necessary
17 for each of the fiscal years 1995 through 1996.

18 “(4) ADMINISTRATION.—

19 “(A) IN GENERAL.—There are authorized
20 to be appropriated for the administration of
21 this Act such sums as may be necessary for
22 each of the fiscal years 1994 through 1996.

23 “(B) LIMITATION.—For fiscal year 1994,
24 the sums appropriated under subparagraph (A)
25 shall not exceed 15 percent of the amounts ap-

1 appropriated to carry out subtitles B, C, D, and
2 H of title I of this Act for such fiscal year. For
3 each subsequent fiscal year, the sums appro-
4 priated under subparagraph (A) shall not ex-
5 ceed 10 percent of the amounts appropriated to
6 carry out such subtitles for such subsequent fis-
7 cal year.

8 “(C) STATE COMMISSIONS AND CORPORA-
9 TION.—Of the amounts appropriated under
10 subparagraph (A) for a fiscal year, up to 50
11 percent shall be made available to the State
12 Commissions, and up to 50 percent shall be
13 made available to the Corporation, for the ad-
14 ministration of this Act.

15 “(b) TITLE III.—There are authorized to be appro-
16 priated to carry out title III \$5,000,000 for each of the
17 fiscal years 1994 through 1996.

18 “(c) AVAILABILITY OF APPROPRIATIONS.—Funds ap-
19 propriated under this section shall remain available until
20 expended.”.

21 “(b) EFFECTIVE DATE.—The amendment made by
22 subsection (a) shall take effect on October 1, 1993.

1 **Subtitle B—Domestic Volunteer**
2 **Service Act of 1973**

3 **SEC. 311. SHORT TITLE; REFERENCES.**

4 (a) **SHORT TITLE.**—This subtitle may be cited as the
5 “Domestic Volunteer Service Act Amendments of 1993”.

6 (b) **REFERENCES.**—Except as otherwise specifically
7 provided, whenever in this subtitle an amendment or re-
8 peal is expressed in terms of an amendment to, or repeal
9 of, a section or other provision, the reference shall be con-
10 sidered to be made to a section or other provision of the
11 Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950
12 et seq.).

13 **CHAPTER 1—VISTA AND OTHER ANTI-**
14 **POVERTY PROGRAMS**

15 **SEC. 321. PURPOSE OF THE VISTA PROGRAM.**

16 The last sentence of section 101 (42 U.S.C. 4951)
17 is amended to read as follows: “In addition, the objectives
18 of this part are to generate the commitment of private
19 sector resources, to encourage volunteer service at the
20 local level, and to strengthen local agencies and organiza-
21 tions to carry out the purpose of this part.”.

22 **SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUN-**
23 **TEERS.**

24 (a) **VOLUNTEER ASSIGNMENTS.**—Section 103(a) (42
25 U.S.C. 4953(a)) is amended—

1 (1) in the matter preceding paragraph (1), by
2 striking “a public” and inserting “public”;

3 (2) in paragraph (2), by striking “and” at the
4 end;

5 (3) in paragraph (3), by striking “illiterate or
6 functionally illiterate youth and other individuals,”;

7 (4) in paragraph (5), by striking “and” at the
8 end;

9 (5) in paragraph (6)—

10 (A) by striking “the Headstart act, or the
11 Community Economic” and inserting “the
12 Head Start Act, the Community Economic”;

13 (B) by inserting “or other similar Acts,”
14 after “1981,”; and

15 (C) by striking the period and inserting “;
16 and”; and

17 (6) by adding at the end the following new
18 paragraph:

19 “(7) in strengthening, supplementing, and ex-
20 panding efforts to address the problem of illiteracy
21 throughout the United States.”.

22 (b) RECRUITMENT PROCEDURES.—Section 103(b)
23 (42 U.S.C. 4953(b)) is amended—

24 (1) by striking paragraphs (2), (4), (5) and (6);

1 (2) by redesignating paragraphs (3) and (7) as
2 paragraphs (2) and (3), respectively;

3 (3) in paragraph (2) (as redesignated in para-
4 graph (2) of this subsection), by striking “paragraph
5 (7)” and inserting “paragraph (3)”; and

6 (4) in paragraph (3) (as redesignated in para-
7 graph (2) of this subsection)—

8 (A) in subparagraph (A), by striking
9 “paragraph (4)” and inserting “paragraph
10 (2)”;

11 (B) by striking subparagraphs (B), (C),
12 and (E);

13 (C) by redesignating subparagraphs (D)
14 and (F) as subparagraphs (C) and (D), respec-
15 tively; and

16 (D) by inserting after subparagraph (A)
17 the following new subparagraph:

18 “(B) A sponsoring organization may recruit volun-
19 teers for service under this part, subject to final approval
20 by the Director.”.

21 (c) PUBLIC AWARENESS AND RECRUITMENT.—Sub-
22 section (c) of section 103 (42 U.S.C. 4953(c)) is
23 amended—

24 (1) in paragraph (1), to read as follows:

1 “(1)(A) The Director shall conduct national and local
2 public awareness and recruitment activities in order to
3 meet the volunteer goals of the program. In conducting
4 such activities, the Director shall place special emphasis
5 on recruiting volunteers for local, community-based pro-
6 grams that serve underrepresented populations, in situa-
7 tions in which volunteers might not otherwise learn about
8 the programs. Such activities shall be coordinated with re-
9 cruitment authorized under subtitle C or E of the National
10 and Community Service Act of 1990 and may include pub-
11 lic service announcements, advertisements, publicity on
12 loan deferments, repayments, and cancellations available
13 to VISTA volunteers, maintenance of a toll-free telephone
14 system, and provision of technical assistance for the re-
15 cruitment of volunteers to programs and projects receiving
16 assistance under this part.

17 “(B) The Director shall take steps to recruit individ-
18 uals 18 through 27 years of age, 55 years of age and older,
19 recent graduates of institutions of higher education, and
20 special skilled volunteers and to promote diverse participa-
21 tion in the program.”;

22 (2) in paragraph (3), by adding at the end the
23 following new sentence: “In addition, the Director
24 shall take steps to provide opportunities for returned

1 Peace Corps volunteers to serve in the VISTA pro-
2 gram.”;

3 (3) by striking paragraphs (4), (5), and (6);
4 and

5 (4) by adding at the end the following new
6 paragraph:

7 “(4) From the amounts appropriated under section
8 501(a) for fiscal year 1994 and each subsequent fiscal
9 year, the Director shall obligate such sums as may be nec-
10 essary for the purpose of carrying out this subsection in
11 such fiscal year.”.

12 (d) COORDINATION WITH OTHER FEDERAL AGEN-
13 CIES.—Section 103 (42 U.S.C. 4953) is amended by add-
14 ing at the end the following new subsection:

15 “(h) The Director is encouraged to enter into agree-
16 ments with other Federal agencies to use VISTA volun-
17 teers in furtherance of program objectives that are consist-
18 ent with the purposes described in section 101.”.

19 **SEC. 323. TERMS AND PERIODS OF SERVICE.**

20 (a) CLARIFICATION AND PERIODS OF SERVICE.—
21 Subsection (b) of section 104 (42 U.S.C. 4954(b)) is
22 amended to read as follows:

23 “(b)(1) Volunteers serving under this part may be en-
24 rolled initially for periods of service of not less than 1 year,

1 nor more than 2 years, except as provided in paragraph
2 (2) or subsection (e).

3 “(2) Volunteers serving under this part may be en-
4 rolled for periods of service of less than 1 year if the Direc-
5 tor determines, on an individual basis, that a period of
6 service of less than 1 year is necessary to meet a critical
7 scarce skill need.

8 “(3) Volunteers serving under this part may be
9 reenrolled for periods of service in a manner to be deter-
10 mined by the Director. No volunteer shall serve for more
11 than a total of 5 years under this part.”.

12 (b) SUMMER PROGRAM.—Section 104 (42 U.S.C.
13 4954) is amended by adding at the end the following new
14 subsection:

15 “(e)(1) Notwithstanding any other provision of this
16 part, the Director may enroll full-time VISTA summer as-
17 sociates in a program for the summer months only, under
18 such terms and conditions as the Director shall determine
19 to be appropriate. Such individuals shall be assigned to
20 projects that meet the criteria set forth in section 103(a).

21 “(2) In preparing reports relating to programs under
22 this Act, the Director shall report on participants, costs,
23 and accomplishments under the summer program sepa-
24 rately.

1 “(3) The limitation on funds appropriated for grants
2 and contracts, as contained in section 108, shall not apply
3 to the summer program.”.

4 **SEC. 324. SUPPORT FOR VISTA VOLUNTEERS.**

5 (a) POSTSERVICE STIPEND.—Section 105(a)(1) (42
6 U.S.C. 4955(a)(1)) is amended—

7 (1) by inserting “(A)” after “(a)(1)”; and

8 (2) by striking the second sentence and insert-
9 ing the following:

10 “(B) Such stipend shall not exceed \$95 per month
11 in fiscal year 1994, but shall be set at a minimum of \$125
12 per month during the service of the volunteer after Octo-
13 ber 1, 1994, assuming the availability of funds to accom-
14 plish this increase.

15 “(C) The Director shall not provide a stipend under
16 this subsection to an individual who elects to receive a na-
17 tional service education award under subtitle D of title I
18 of the National and Community Service Act of 1990.”.

19 (b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42
20 U.S.C. 4955(b)) is amended—

21 (1) in paragraph (3)—

22 (A) by striking subparagraph (A);

23 (B) in subparagraph (B), by striking the
24 subparagraph designation; and

1 (C) by adding at the end the following new
2 sentence: "The Director shall review such ad-
3 justments on an annual basis to ensure that the
4 adjustments are current."; and

5 (2) by striking paragraph (4).

6 (c) CHILD CARE.—Section 105 (42 U.S.C. 4955) is
7 amended by adding at the end the following:

8 "(c)(1) The Director shall—

9 "(A) make child care available for children of
10 each volunteer enrolled under this part who need
11 such child care in order to participate as volunteers;
12 or

13 "(B) provide a child care allowance to each
14 such volunteer who needs such assistance in order to
15 participate as volunteers.

16 "(2) The Corporation shall establish guidelines re-
17 garding the circumstances under which child care shall be
18 made available under this subsection and the value of any
19 child care allowance to be provided."

20 **SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PER-**
21 **SONS.**

22 Section 107 (42 U.S.C. 4957) is amended to read as
23 follows:

1 **"SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PER-**
2 **SONS.**

3 "In carrying out this part and part C, the Director
4 shall take necessary steps, including the development of
5 special projects, where appropriate, to encourage the full-
6 est participation of individuals 18 through 27 years of age,
7 and individuals 55 years of age and older, in the various
8 programs and activities authorized under such parts."

9 **SEC. 326. LITERACY ACTIVITIES.**

10 Section 109 (42 U.S.C. 4959) is amended—

11 (1) in subsection (g)—

12 (A) by striking paragraph (1); and

13 (B) by striking the paragraph designation
14 of paragraph (2); and

15 (2) in subsection (h), by striking paragraph (3).

16 **SEC. 327. APPLICATIONS FOR ASSISTANCE.**

17 Section 110 (42 U.S.C. 4960) is amended to read as
18 follows:

19 **"SEC. 110. APPLICATIONS FOR ASSISTANCE.**

20 "In reviewing an application for assistance under this
21 part, the Director shall not deny such assistance to any
22 project or program, or any public or private nonprofit or-
23 ganization, solely on the basis of the duration of the assist-
24 ance such project, program, or organization has received
25 under this part prior to the date of submission of the ap-
26 plication. The Director shall grant assistance under this

1 part on the basis of merit and to accomplish the goals
2 of the VISTA program, and shall consider the needs and
3 requirements of projects in existence on such date as well
4 as potential new projects.”.

5 **SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMU-**
6 **NITY SERVICE PROGRAMS.**

7 Section 114 (42 U.S.C. 4974) is repealed.

8 **SEC. 329. UNIVERSITY YEAR FOR VISTA.**

9 (a) PROGRAM TITLE.—Part B of title I (42 U.S.C.
10 4971 et seq.) is amended—

11 (1) in the part heading, to read as follows:

12 “PART B—UNIVERSITY YEAR FOR VISTA”;

13 (2) by striking “University Year for ACTION”
14 each place that such term appears in such part and
15 inserting “University Year for VISTA”;

16 (3) by striking “UYA” each place that such
17 term appears in such part and inserting “UYV”;
18 and

19 (4) in section 112 (42 U.S.C. 4972) by striking
20 the section heading and inserting the following new
21 section heading:

22 “AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA
23 PROGRAM”.

24 (b) SPECIAL CONDITIONS.—Section 113(a) (42
25 U.S.C. 4973(a)) is amended—

1 (1) by striking “of not less than the duration
2 of an academic year” and inserting “of not less than
3 the duration of an academic semester or its equiva-
4 lent”; and

5 (2) by adding at the end the following new sen-
6 tence: “Volunteers may receive a living allowance
7 and such other support or allowances as the Director
8 determines to be appropriate.”.

9 **SEC. 330. AUTHORITY TO ESTABLISH AND OPERATE SPE-**
10 **CIAL VOLUNTEER AND DEMONSTRATION**
11 **PROGRAMS.**

12 Section 122 (42 U.S.C. 4992) is amended to read as
13 follows:

14 **“SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPE-**
15 **CIAL VOLUNTEER AND DEMONSTRATION**
16 **PROGRAMS.**

17 “(a) IN GENERAL.—The Director is authorized to
18 conduct special volunteer programs for demonstration pro-
19 grams, or award grants to or enter into contracts with
20 public or nonprofit organizations to carry out such pro-
21 grams. Such programs shall encourage wider volunteer
22 participation on a full-time, part-time, or short-term basis
23 to further the purpose of this part, and identify particular
24 segments of the poverty community that could benefit
25 from volunteer and other antipoverty efforts.

1 “(b) ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—

2 The assignment of volunteers under this section, and the
3 provision of support for such volunteers, including any
4 subsistence allowances and stipends, shall be on such
5 terms and conditions as the Director shall determine to
6 be appropriate, but shall not exceed the level of support
7 provided under section 105. Projects using volunteers who
8 do not receive stipends may also be supported under this
9 section.

10 “(c) CRITERIA AND PRIORITIES.—In carrying out
11 this section and section 123, the Director shall establish
12 criteria and priorities for awarding grants and entering
13 into contracts under this part in each fiscal year. No grant
14 or contract exceeding \$100,000 shall be made under this
15 part unless the recipient of the grant or contractor has
16 been selected by a competitive process that includes public
17 announcement of the availability of funds for such grant
18 or contract, general criteria for the selection of recipients
19 or contractors, and a description of the application process
20 and application review process.”.

21 **SEC. 331. TECHNICAL AND FINANCIAL ASSISTANCE.**

22 Section 123 (42 U.S.C. 4993) is amended to read as
23 follows:

1 **“SEC. 123. TECHNICAL AND FINANCIAL ASSISTANCE.**

2 “The Director may provide technical and financial as-
3 sistance to Federal agencies, State and local governments
4 and agencies, private nonprofit organizations, employers,
5 and other private organizations that utilize or desire to
6 utilize volunteers in carrying out the purpose of this
7 part.”.

8 **SEC. 332. ELIMINATION OF SEPARATE AUTHORITY FOR**
9 **DRUG ABUSE PROGRAMS.**

10 Title I (42 U.S.C. 4951 et seq.) is amended—

11 (1) by repealing section 124; and

12 (2) by redesignating section 125 as section 124.

13 **CHAPTER 2—NATIONAL SENIOR**
14 **VOLUNTEER CORPS**

15 **SEC. 341. NATIONAL SENIOR VOLUNTEER CORPS.**

16 (a) TITLE HEADING.—The heading for title II is
17 amended to read as follows:

18 **“TITLE II—NATIONAL SENIOR**
19 **VOLUNTEER CORPS”.**

20 (b) REFERENCES.—

21 (1) Section 200(1) (42 U.S.C. 5000(1)) is
22 amended by striking “Older American Volunteer
23 Programs” and inserting “National Senior Volunteer
24 Corps”.

25 (2) The heading for section 221 (42 U.S.C.
26 5021) is amended by striking “OLDER AMERICAN

1 VOLUNTEER PROGRAMS” and inserting “NATIONAL
2 SENIOR VOLUNTEER CORPS”.

3 (3) Section 224 (42 U.S.C. 5024) is amended—

4 (A) in the section heading by striking
5 “OLDER AMERICAN VOLUNTEER PROGRAMS”
6 and inserting “NATIONAL SENIOR VOLUNTEER
7 CORPS”; and

8 (B) by striking “volunteer projects for
9 older Americans” and inserting “National Sen-
10 ior Volunteer Corps projects”.

11 (4) Section 205(c) of the Older Americans
12 Amendments of 1975 (Public Law 94-135; 89 Stat.
13 727; 42 U.S.C. 5001 note) is amended by striking
14 “national older American volunteer programs” each
15 place the term appears and inserting “National Sen-
16 ior Volunteer Corps programs”.

17 **SEC. 342. THE RETIRED AND SENIOR VOLUNTEER PRO-**
18 **GRAM.**

19 (a) PART HEADING.—The heading for part A of title
20 II is amended by striking “RETIRED SENIOR VOLUNTEER
21 PROGRAM” and inserting “RETIRED AND SENIOR VOLUN-
22 TEER PROGRAM”.

23 (b) REFERENCES.—Section 200 (42 U.S.C. 5000) is
24 amended by striking “retired senior volunteer program”

1 each place that such term appears in such section and in-
2 serting “Retired and Senior Volunteer Program”.

3 **SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOL-**
4 **UNTEER PROGRAM.**

5 (a) ELIGIBILITY FOR PARTICIPANTS IN THE PRO-
6 GRAM.—Section 201(a) (42 U.S.C. 5001(a)) is
7 amended—

8 (1) in the matter preceding paragraph (1), by
9 inserting “and older working persons” after “retired
10 persons”; and

11 (2) in paragraph (2), by striking “aged sixty”
12 and inserting “age 55”.

13 (b) DELETION OF REQUIREMENT FOR STATE AGEN-
14 CY REVIEW.—Section 201 (42 U.S.C. 5001) is amended—

15 (1) by striking subsection (c); and

16 (2) by redesignating subsection (d) as sub-
17 section (c).

18 **SEC. 344. SERVICES UNDER THE FOSTER GRANDPARENT**
19 **PROGRAM.**

20 Section 211(a) (42 U.S.C. 5011(a)) is amended by
21 striking “, including services” and all that follows through
22 “with special needs.” and inserting a period and the fol-
23 lowing: “Such services may include services by individuals
24 serving as foster grandparents to children who are individ-
25 uals with disabilities, who have chronic health conditions,

1 who are receiving care in hospitals, who are residing in
2 homes for dependent and neglected children, or who are
3 receiving services provided by day care centers, schools,
4 early intervention programs under part H of the Individ-
5 uals with Disabilities Education Act (20 U.S.C. 1471 et
6 seq.), Head Start agencies under the Head Start Act, or
7 any of a variety of other programs, establishments, and
8 institutions providing services for children with special or
9 exceptional needs. Individual foster grandparents may
10 provide person-to-person services to one or more children,
11 depending on the needs of the project and local site.”.

12 **SEC. 345. STIPENDS FOR LOW-INCOME VOLUNTEERS.**

13 The second sentence of section 211(d) (42 U.S.C.
14 5011(d)) is amended by striking “Any stipend or allow-
15 ance provided under this subsection shall not be less than
16 \$2.20 per hour until October 1, 1990, \$2.35 per hour dur-
17 ing fiscal year 1991, and \$2.50 per hour on and after Oc-
18 tober 1, 1992,” and inserting “Any stipend or allowance
19 provided under this section shall not be less than \$2.45
20 per hour on and after October 1, 1993, and shall be ad-
21 justed once prior to December 31, 1997, to account for
22 inflation, as determined by the Director and rounded to
23 the nearest five cents,”.

1 **SEC. 346. PARTICIPATION OF NON-LOW-INCOME PERSONS**
2 **UNDER PARTS B AND C.**

3 Subsection (f) of section 211(f) (42 U.S.C. 5011(f))
4 is amended to read as follows:

5 “(f) Individuals who are not low-income persons may
6 serve as volunteers under parts B and C, in accordance
7 with such regulations as the Director shall issue, at the
8 discretion of the local project. Such individuals shall not
9 receive any allowance, stipend, or other financial support
10 for such service except reimbursement for transportation,
11 meals, and out-of-pocket expenses related to such serv-
12 ice.”.

13 **SEC. 347. CONDITIONS OF GRANTS AND CONTRACTS.**

14 Section 212 (42 U.S.C. 5012) is repealed.

15 **SEC. 348. EVALUATION OF THE SENIOR COMPANION PRO-**
16 **GRAM.**

17 Section 213(c) (42 U.S.C. 5013(c)) is amended by
18 striking paragraph (3).

19 **SEC. 349. AGREEMENTS WITH OTHER FEDERAL AGENCIES.**

20 Section 221(a) (42 U.S.C. 5021(a)) is amended—

21 (1) by striking “(a)” and inserting “(a)(1)”;

22 and

23 (2) by adding at the end the following:

24 “(2) The Director is encouraged to enter into agree-
25 ments with—

1 “(A) the Department of Health and Human
2 Services to—

3 “(i) involve retired or senior volunteers and
4 foster grandparents in Head Start projects; and

5 “(ii) promote in-home care in cooperation
6 with the Administration on Aging;

7 “(B) the Department of Education to promote
8 intergenerational tutoring and mentoring for at-risk
9 children; and

10 “(C) the Environmental Protection Agency to
11 support conservation efforts.”.

12 **SEC. 350. PROGRAMS OF NATIONAL SIGNIFICANCE.**

13 Section 225 (42 U.S.C. 5025) is amended—

14 (1) in subsection (a)—

15 (A) by striking paragraph (1) and insert-
16 ing the following new paragraph:

17 “(1) The Director is authorized to make grants under
18 parts A, B, and C to support programs that address na-
19 tional problems that are also of local concern. The Direc-
20 tor may, in any fiscal year, determine which programs of
21 national significance will receive priority in that year. In
22 determining the priority of programs to address problems
23 of local concern in a particular area, the Director shall
24 solicit and consider the views of representatives of local
25 groups serving the area.”;

1 (B) in paragraph (2)(B), by striking
2 “paragraph (10)” and inserting “paragraphs
3 (10) and (12)”; and

4 (C) in paragraph (2)(C), by striking “and
5 (10)” and inserting “(10), (12), (15), and
6 (16)”;

7 (2) in subsection (b), by adding at the end the
8 following new paragraphs:

9 “(12) Programs that address environmental
10 needs.

11 “(13) Programs that reach out to organizations
12 not previously involved in addressing local needs,
13 such as labor unions and profitmaking organiza-
14 tions.

15 “(14) Programs that provide for ethnic out-
16 reach.

17 “(15) Programs that support criminal justice
18 activities.

19 “(16) Programs that involve older volunteers
20 working with young people in apprenticeship pro-
21 grams.

22 “(17) Programs that support the integration of
23 individuals with disabilities into the community.”;
24 and

1 (3) in subsection (d), by striking paragraph (1)
2 and inserting the following new paragraph:

3 “(1) Except as provided in paragraph (2), from the
4 amounts appropriated under subsection (a), (b), (c), or (d)
5 of section 502, for each fiscal year there shall be available
6 to the Director such sums as may be necessary to make
7 grants under subsection (a).”.

8 **SEC. 351. ADJUSTMENTS TO FEDERAL FINANCIAL ASSIST-**
9 **ANCE.**

10 Section 226 (42 U.S.C. 5026) is amended—

11 (1) in subsection (a)(1)—

12 (A) in subparagraph (A), by striking
13 “(A)”; and

14 (B) by striking subparagraph (B); and

15 (2) in subsection (b)—

16 (A) in paragraph (1)—

17 (i) by striking “(1)”; and

18 (ii) by striking “annually” and insert-
19 ing “, once every 2 years”; and

20 (B) by striking paragraph (2).

21 **SEC. 352. DEMONSTRATION PROGRAMS.**

22 Title II (42 U.S.C. 5000 et seq.) is amended by add-
23 ing at the end the following new part:

1 “PART E—DEMONSTRATION PROGRAMS

2 **“SEC. 231. AUTHORITY OF DIRECTOR.**

3 “(a) IN GENERAL.—The Director is authorized to
4 make grants to or enter into contracts with public or non-
5 profit organizations, including organizations funded under
6 part A, B, or C, for the purposes of demonstrating innova-
7 tive activities involving older Americans as volunteers. The
8 Director may support under this part both volunteers re-
9 ceiving stipends and volunteers not receiving stipends.

10 “(b) ACTIVITIES.—An organization that receives a
11 grant or enters into a contract under subsection (a) may
12 use funds made available through the grant or contract
13 for activities such as—

14 “(1) linking youth groups and older American
15 organizations in volunteer activities;

16 “(2) involving older volunteers in programs and
17 activities different from programs and activities sup-
18 ported in the community; and

19 “(3) testing whether older American volunteer
20 programs may contribute to new objectives or cer-
21 tain national priorities.

22 **“SEC. 232. PROHIBITION.**

23 “The Director may not reduce the activities, projects,
24 or volunteers funded under the other parts of this title
25 in order to support projects under this part.”.

1 **CHAPTER 3—ADMINISTRATION**

2 **SEC. 361. PURPOSE OF AGENCY.**

3 Section 401 (42 U.S.C. 5041) is amended—

4 (1) by inserting after the first sentence the fol-
5 lowing: “Such Agency shall also promote the coordi-
6 nation of volunteer efforts among Federal, State,
7 and local agencies and organizations, exchange tech-
8 nical assistance information among such agencies
9 and organizations.”; and

10 (2) by striking “Older American Volunteer Pro-
11 grams” each place the term appears and inserting
12 “National Senior Volunteer Corps”.

13 **SEC. 362. AUTHORITY OF THE DIRECTOR.**

14 Section 402 (42 U.S.C. 5042) is amended in para-
15 graphs (5) and (6) by inserting “solicit and” before “ac-
16 cept” each place the term appears.

17 **SEC. 363. COMPENSATION FOR VOLUNTEERS.**

18 Section 404 (42 U.S.C. 5044) is amended—

19 (1) in subsection (c), by inserting “from such
20 volunteers or from beneficiaries” after “compensa-
21 tion”;

22 (2) by striking subsection (f); and

23 (3) by redesignating subsection (g) as sub-
24 section (f).

1 **SEC. 364. REPEAL OF REPORT.**

2 Section 407 (42 U.S.C. 5047) is repealed.

3 **SEC. 365. APPLICATION OF FEDERAL LAW.**

4 Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is
5 amended by striking “a grade GS–7 employee” and insert-
6 ing “an employee at grade GS–5 of the General Schedule
7 under section 5332 of title 5, United States Code”.

8 **SEC. 366. EVALUATION OF PROGRAMS.**

9 Section 416 (42 U.S.C. 5056) is amended—

10 (1) in subsection (a)—

11 (A) in the first sentence, by striking “(in-
12 cluding the VISTA Literacy Corps which shall
13 be evaluated as a separate program at least
14 once every 3 years)”;

15 (B) in the second sentence, by striking “at
16 least once every 3 years” and inserting “peri-
17 odically”;

18 (2) in subsection (b) to read as follows:

19 “(b) In carrying out evaluations of programs under
20 this Act, the Director shall create appropriate manage-
21 ment information systems that will summarize informa-
22 tion on volunteer activities and accomplishments across
23 the programs supported under this Act. The Director shall
24 periodically prepare and submit to the appropriate com-
25 mittees of Congress a report containing such informa-
26 tion.”; and

1 (3) by striking subsections (d), (e), (f), and (g).

2 **SEC. 367. NONDISCRIMINATION PROVISIONS.**

3 Section 417 (42 U.S.C. 5057) is amended to read as
4 follows:

5 **“SEC. 417. NONDISCRIMINATION PROVISIONS.**

6 **“(a) IN GENERAL.—**

7 **“(1) BASIS.—**An individual with responsibility
8 for the operation of a program that receives assist-
9 ance under this Act shall not discriminate against a
10 participant in, or member of the staff of, such pro-
11 gram on the basis of race, color, national origin, sex,
12 age, or political affiliation of such participant or
13 member, or on the basis of disability, if the partici-
14 pant or member is a qualified individual with a dis-
15 ability.

16 **“(2) DEFINITION.—**As used in paragraph (1),
17 the term ‘qualified individual with a disability’ has
18 the meaning given the term in section 101(8) of the
19 Americans with Disabilities Act of 1990 (42 U.S.C.
20 12111(8)).

21 **“(b) FEDERAL FINANCIAL ASSISTANCE.—**Any assist-
22 ance provided under this Act shall constitute Federal fi-
23 nancial assistance for purposes of title VI of the Civil
24 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
25 of the Education Amendments of 1972 (20 U.S.C. 1681

1 et seq.), section 504 of the Rehabilitation Act of 1973 (29
2 U.S.C. 794), and the Age Discrimination Act of 1975 (42
3 U.S.C. 6101 et seq.).

4 “(c) RELIGIOUS DISCRIMINATION.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), an individual with responsibility for the
7 operation of a program that receives assistance
8 under this Act shall not discriminate on the basis of
9 religion against a participant in such program or a
10 member of the staff of such program who is paid
11 with funds received under this Act.

12 “(2) EXCEPTION.—Paragraph (1) shall not
13 apply to the employment, with assistance provided
14 under this Act, of any member of the staff, of a pro-
15 gram that receives assistance under this Act, who
16 was employed with the organization operating the
17 program on the date the grant under this Act was
18 awarded.

19 “(d) RULES AND REGULATIONS.—The Director shall
20 promulgate rules and regulations to provide for the en-
21 forcement of this section that shall include provisions for
22 summary suspension of assistance for not more than 30
23 days, on an emergency basis, until notice and an oppor-
24 tunity to be heard can be provided.”.

1 **SEC. 368. ELIMINATION OF SEPARATE REQUIREMENTS FOR**
2 **SETTING REGULATIONS.**

3 Section 420 (42 U.S.C. 5060) is repealed.

4 **SEC. 369. CLARIFICATION OF ROLE OF INSPECTOR GEN-**
5 **ERAL.**

6 Section 422 (42 U.S.C. 5062) is amended—

7 (1) in subsection (a), by inserting “or the In-
8 specter General” after “Director”; and

9 (2) in subsection (b), by inserting “, the Inspec-
10 tor General,” after “Director” each place that such
11 term appears.

12 **SEC. 370. COPYRIGHT PROTECTION.**

13 Title IV (42 U.S.C. 5041 et seq.) is amended by add-
14 ing at the end the following new section:

15 **“SEC. 425. PROTECTION AGAINST IMPROPER USE.**

16 “Whoever falsely—

17 “(1) advertises or represents; or

18 “(2) publishes or displays any sign, symbol, or
19 advertisement, reasonably calculated to convey the
20 impression,

21 that an entity is affiliated with, funded by, or operating
22 under the authority of ACTION, VISTA, or any of the
23 programs of the National Senior Volunteer Corps may be
24 enjoined under an action filed by the Attorney General,
25 on a complaint by the Director.”.

1 **SEC. 371. CENTER FOR RESEARCH AND TRAINING.**

2 Title IV (42 U.S.C. 5041 et seq.) (as amended by
3 section 370 of this Act) is further amended by adding at
4 the end the following new section:

5 **“SEC. 426. CENTER FOR RESEARCH AND TRAINING.**

6 “The Director may establish, directly or by grant or
7 contract, a Center for Research and Training on Vol-
8 unteerism to carry out research concerning the impact of
9 volunteerism on individuals, organizations, and commu-
10 nities, provide training at a State, regional, or local level
11 to help improve programs across the United States, and
12 carry out such other functions as the Director determines
13 to be appropriate.”.

14 **SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**
15 **A VOLUNTEER.**

16 (a) CIVIL SERVICE RETIREMENT SYSTEM.—

17 (1) CREDITABLE SERVICE.—Section 8332(j) of
18 title 5, United States Code, is amended—

19 (A) in paragraph (1)—

20 (i) in the first sentence, by inserting
21 “the period of an individual’s services as a
22 full-time volunteer enrolled in a program of
23 at least 1 year in duration under part A,
24 B, or C of title I of the Domestic Volun-
25 teer Service Act of 1973,” after “Economic
26 Opportunity Act of 1964,”;

1 (ii) in the second sentence, by insert-
2 ing “, as a full-time volunteer enrolled in
3 a program of at least 1 year in duration
4 under part A, B, or C of title I of the Do-
5 mestic Volunteer Service Act of 1973,”
6 after “Economic Opportunity Act of
7 1964,”; and

8 (iii) in the last sentence—

9 (I) by inserting “or under the
10 Domestic Volunteer Service Act of
11 1973” after “Economic Opportunity
12 Act of 1964”; and

13 (II) by inserting “or the Director
14 of ACTION, as appropriate,” after
15 “Director of the Office of Economic
16 Opportunity”; and

17 (B) by adding at the end the following new
18 paragraph:

19 “(3) The provisions of paragraph (1) relating to
20 credit for service as a volunteer or volunteer leader
21 under the Economic Opportunity Act of 1964 or the
22 Domestic Volunteer Service Act of 1973 shall not
23 apply to any period of service as a volunteer or vol-
24 unteer leader of an employee or Member with re-
25 spect to which the employee or Member has made

1 the deposit with interest, if any, required by section
2 8334(1).”.

3 (2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOS-
4 ITS.—

5 (A) IN GENERAL.—Section 8334 of title 5,
6 United States Code, is amended by adding at
7 the end the following new subsection:

8 “(1)(1) Each employee or Member who has performed
9 service as a volunteer or volunteer leader under part A
10 of title VIII of the Economic Opportunity Act of 1964,
11 or as a full-time volunteer enrolled in a program of at least
12 1 year in duration under part A, B, or C of title I of the
13 Domestic Volunteer Service Act of 1973, before the date
14 of the separation from service on which the entitlement
15 to any annuity under this subchapter is based may pay,
16 in accordance with such regulations as the Office of Per-
17 sonnel Management shall issue, to the agency by which
18 the employee is employed or, in the case of a Member or
19 a congressional employee, to the Secretary of the Senate
20 or the Clerk of the House of Representatives, as appro-
21 priate, an amount equal to 7 percent of the readjustment
22 allowance paid to the employee or Member under title VIII
23 of the Economic Opportunity Act of 1964 or title I of the
24 Domestic Volunteer Service Act of 1973 for each period
25 of service as such a volunteer or volunteer leader.

1 “(2) Any deposit made under paragraph (1) more
2 than 2 years after the later of—

3 “(A) the date of enactment of this subsection;
4 or

5 “(B) the date on which the employee or Mem-
6 ber making the deposit first becomes an employee or
7 Member,
8 shall include interest on such amount, computed and
9 compounded annually beginning on the date of the expira-
10 tion of the 2-year period. The interest rate that is applica-
11 ble in computing interest in any year under this paragraph
12 shall be equal to the interest rate that is applicable for
13 such year under subsection (e).

14 “(3) Any payment received by an agency, the Sec-
15 retary of the Senate, or the Clerk of the House of Rep-
16 resentatives under this subsection shall be immediately re-
17 mitted to the Office of Personnel Management for deposit
18 in the Treasury of the United States to the credit of the
19 Fund.

20 “(4) The Director shall furnish such information to
21 the Office of Personnel Management as the Office may
22 determine to be necessary for the administration of this
23 subsection.”.

24 (B) CONFORMING AMENDMENT.—Section
25 8334(e) of title 5, United States Code, is

1 amended in paragraphs (1) and (2) by striking
2 “or (k)” each place that such term appears and
3 inserting “(k), or (l)”.

4 (b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

5 (1) CREDITABLE SERVICE.—Section 8411 of
6 title 5, United States Code, is amended—

7 (A) in subsection (b)(3), by striking “sub-
8 section (f)” and inserting “subsection (f) or
9 (h)”; and

10 (B) by adding at the end the following new
11 subsection:

12 “(h) An employee or Member shall be allowed credit
13 for service as a volunteer or volunteer leader under part
14 A of title VIII of the Economic Opportunity Act of 1964,
15 or as a full-time volunteer enrolled in a program of at least
16 1 year in duration under part A, B, or C of title I of the
17 Domestic Volunteer Service Act of 1973, performed at any
18 time prior to the separation from service on which the en-
19 titlement to any annuity under this subchapter is based
20 if the employee or Member has made a deposit with inter-
21 est, if any, with respect to such service under section
22 8422(f).”.

23 (2) DEDUCTIONS, CONTRIBUTIONS.—Section
24 8422 of title 5, United States Code, is amended by
25 adding at the end the following new subsection:

1 “(f)(1) Each employee or Member who has performed
2 service as a volunteer or volunteer leader under part A
3 of title VIII of the Economic Opportunity Act of 1964,
4 or as a full-time volunteer enrolled in a program of at least
5 1 year in duration under part A, B, or C of title I of the
6 Domestic Volunteer Service Act of 1973, before the date
7 of the separation from service on which the entitlement
8 to any annuity under this subchapter, or subchapter V of
9 this chapter, is based may pay, in accordance with such
10 regulations as the Office of Personnel Management shall
11 issue, to the agency by which the employee is employed
12 or, in the case of a Member or a congressional employee,
13 to the Secretary of the Senate or the Clerk of the House
14 of Representatives, as appropriate, an amount equal to 3
15 percent of the readjustment allowance paid to the em-
16 ployee or Member under title VIII of the Economic Oppor-
17 tunity Service Act of 1964 or title I of the Domestic Vol-
18 unteer Service Act of 1973 for each period of service as
19 such a volunteer or volunteer leader.

20 “(2) Any deposit made under paragraph (1) more
21 than 2 years after the later of—

22 “(A) the date of enactment of this subsection,
23 or

1 “(B) the date on which the employee or Mem-
2 ber making the deposit first becomes an employee or
3 Member,
4 shall include interest on such amount computed and
5 compounded annually beginning on the date of the expira-
6 tion of the 2-year period. The interest rate that is applica-
7 ble in computing interest in any year under this paragraph
8 shall be equal to the interest rate that is applicable for
9 such year under section 8334(e).

10 “(3) Any payment received by an agency, the Sec-
11 retary of the Senate, or the Clerk of the House of Rep-
12 resentatives under this subsection shall be immediately re-
13 mitted to the Office of Personnel Management for deposit
14 in the Treasury of the United States to the credit of the
15 Fund.

16 “(4) The Director shall furnish such information to
17 the Office of Personnel Management as the Office may
18 determine to be necessary for the administration of this
19 subsection.”.

20 (c) APPLICABILITY AND OTHER PROVISIONS.—

21 (1) APPLICABILITY.—

22 (A) TIMING.—The amendments made by
23 subsections (a) and (b) shall apply with respect
24 to credit for service as a volunteer or volunteer
25 leader under the Economic Opportunity Act of

1 1964 or the Domestic Volunteer Service Act of
2 1973 to individuals who are entitled to an an-
3 nuity on the basis of a separation from service
4 occurring before, on, or after the effective date
5 of this subtitle.

6 (B) SEPARATION.—In the case of any indi-
7 vidual whose entitlement to an annuity is based
8 on a separation from service occurring before
9 the date of enactment of this Act, any increase
10 in such individual's annuity on the basis of a
11 deposit made pursuant to section 8334(l) or
12 section 8442(f) of title 5, United States Code,
13 as amended by this Act, shall be effective only
14 with respect to annuity payments payable for
15 calendar months beginning after the date of en-
16 actment of this Act.

17 (2) ACTION TO INFORM INDIVIDUALS.—The Di-
18 rector of the Office of Personnel Management shall
19 take such action as may be necessary and appro-
20 priate to inform individuals entitled to credit under
21 this section for service as a volunteer or volunteer
22 leader, or to have any annuity recomputed, or to
23 make a deposit under this section, of such entitle-
24 ment.

1 **CHAPTER 4—AUTHORIZATION OF APPRO-**
2 **PRIATIONS AND OTHER AMENDMENTS**

3 **SEC. 381. AUTHORIZATION OF APPROPRIATIONS FOR**
4 **TITLE I.**

5 Section 501 (42 U.S.C. 5081) is amended to read as
6 follows:

7 **“SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PRO-**
8 **GRAMS.**

9 **“(a) AUTHORIZATIONS.—**

10 **“(1) VOLUNTEERS IN SERVICE TO AMERICA.—**

11 There are authorized to be appropriated to carry out
12 part A of title I, excluding sections 104(e) and 109,
13 \$45,800,000 for fiscal year 1994, and such sums as
14 may be necessary for each of the fiscal years 1995
15 and 1996.

16 **“(2) SUMMER PROGRAM.—**There are authorized
17 to be appropriated to carry out section 104(e), such
18 sums as may be necessary for each of the fiscal
19 years 1994 through 1996.

20 **“(3) LITERACY ACTIVITIES.—**There are author-
21 ized to be appropriated to carry out section 109,
22 \$5,600,000 for fiscal year 1994, and such sums as
23 may be necessary for each of the fiscal years 1995
24 and 1996.

1 “(4) UNIVERSITY YEAR FOR VISTA.—There are
2 authorized to be appropriated to carry out part B of
3 title I, such sums as may be necessary for each of
4 the fiscal years 1994 through 1996.

5 “(5) SPECIAL VOLUNTEER PROGRAMS.—There
6 are authorized to be appropriated to carry out part
7 C of title I, excluding section 124, such sums as may
8 be necessary for each of the fiscal years 1994
9 through 1996.

10 “(6) LITERACY CHALLENGE GRANTS.—There
11 are authorized to be appropriated to carry out sec-
12 tion 124, such sums as may be necessary for each
13 of the fiscal years 1994 through 1996.

14 “(b) SUBSISTENCE.—The minimum level of an
15 allowance for subsistence required under section
16 105(b)(2), to be provided to each volunteer under title I,
17 may not be reduced or limited in order to provide for an
18 increase in the number of volunteer service years under
19 part A of title I.

20 “(c) LIMITATION.—No part of the funds appro-
21 priated to carry out part A of title I may be used to pro-
22 vide volunteers or assistance to any program or project
23 authorized under part B or C of title I, or under title II,
24 unless the program or project meets the antipoverty cri-
25 teria of part A of title I.

1 “(d) AVAILABILITY.—Amounts appropriated for part
2 A of title I shall remain available for obligation until the
3 end of the fiscal year following the fiscal year for which
4 the amounts were appropriated.

5 “(e) VOLUNTEER SERVICE REQUIREMENT.—

6 “(1) VOLUNTEER SERVICE YEARS.—Of the
7 amounts appropriated under this section for parts A,
8 B, and C of title I, including section 124, there shall
9 first be available for part A of title I, including sec-
10 tions 104(e) and 109, an amount not less than the
11 amount necessary to provide 3,700 volunteer service
12 years in fiscal year 1994, 4,000 volunteer service
13 years in fiscal year 1995, and 4,500 volunteer serv-
14 ice years in fiscal year 1996.

15 “(2) PLAN.—If the Director determines that
16 funds appropriated to carry out part A, B, or C of
17 title I are insufficient to provide for the years of vol-
18 unteer service required by paragraph (1), the Direc-
19 tor shall submit a plan to the relevant authorizing
20 and appropriations committees of Congress that will
21 detail what is necessary to fully meet this require-
22 ment.”.

1 **SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR**
2 **TITLE II.**

3 Section 502 (42 U.S.C. 5082) is amended to read as
4 follows:

5 **“SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.**

6 “(a) RETIRED AND SENIOR VOLUNTEER PRO-
7 GRAM.—There are authorized to be appropriated to carry
8 out part A of title II, \$37,054,000 for fiscal year 1994,
9 and such sums as may be necessary for each of the fiscal
10 years 1995 and 1996.

11 “(b) FOSTER GRANDPARENT PROGRAM.—There are
12 authorized to be appropriated to carry out part B of title
13 II, \$71,284,000 for fiscal year 1994, and such sums as
14 may be necessary for each of the fiscal years 1995 and
15 1996.

16 “(c) SENIOR COMPANION PROGRAM.—There are au-
17 thorized to be appropriated to carry out part C of title
18 II, \$32,509,000 for fiscal year 1994, and such sums as
19 may be necessary for each of the fiscal years 1995 and
20 1996.

21 “(d) DEMONSTRATION PROGRAMS.—There are au-
22 thorized to be appropriated to carry out part E of title
23 II, such sums as may be necessary for each of the fiscal
24 years 1994 through 1996.”.

1 **SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR**
2 **TITLE IV.**

3 Title V (42 U.S.C. 5081 et seq.) is amended—

4 (1) by striking section 504;

5 (2) by inserting the following after section 502:

6 **“SEC. 503. ADMINISTRATION AND COORDINATION.**

7 “(a) IN GENERAL.—For each of the fiscal years 1994
8 through 1998, there are authorized to be appropriated for
9 the administration of this Act as provided for in title IV,
10 15 percent of the total amount appropriated under sec-
11 tions 501 and 502 with respect to such year.

12 “(b) EVALUATION AND CENTER FOR RESEARCH AND
13 TRAINING.—For each of the fiscal years 1994 through
14 1998, the Director is authorized to expend not less than
15 one-half of 1 percent, and not more than 1 percent, from
16 the amounts appropriated under sections 501 and 502, for
17 the purposes prescribed in sections 416 and 426.”; and

18 (3) by redesignating section 505 as section 504.

19 **SEC. 384. CONFORMING AMENDMENTS; COMPENSATION**
20 **FOR VISTA FECA CLAIMANTS.**

21 Section 8143(b) of title 5, United States Code, is
22 amended by striking “GS-7” and inserting “GS-5 of the
23 General Schedule under section 5332 of title 5, United
24 States Code”.

25 **SEC. 385. REPEAL OF AUTHORITY.**

26 Title VII (42 U.S.C. 5091 et seq.) is repealed.

1 CHAPTER 5—GENERAL PROVISIONS

2 SEC. 391. TECHNICAL AND CONFORMING AMENDMENTS.

3 The Domestic Volunteer Service Act of 1973 (42
4 U.S.C. 4950 et seq.) is amended by striking “That this
5 Act” and all that follows through the end of the table of
6 contents and inserting the following:

7 “SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

8 “(a) SHORT TITLE.—This Act may be cited as the
9 ‘Domestic Volunteer Service Act of 1973’.

10 “(b) TABLE OF CONTENTS.—The table of contents
11 is as follows:

“Sec. 1. Short title; table of contents.

"Sec. 2. Volunteerism policy.

“TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

"PART A—VOLUNTEERS IN SERVICE TO AMERICA

“Sec. 101. Statement of purpose.

"Sec. 102. Authority to operate VISTA program.

"Sec. 103. Selection and assignment of volunteers.

"Sec. 104. Terms and periods of service.

“Sec. 105. Support service.

"Sec. 106. Participation of beneficiaries.

"Sec. 107. Participation of younger and older persons.

“Sec. 108. Limitation.

“Sec. 109. VISTA Literacy Corps.

“Sec. 110. Applications for assistance.

"PART B—UNIVERSITY YEAR FOR VISTA

“Sec. 111. Statement of purpose.

"Sec. 112. Authority to operate University Year for VISTA program.

"Sec. 113. Special conditions.

“PART C—SPECIAL VOLUNTEER PROGRAMS

“Sec. 121. Statement of purpose.

"Sec. 122. Authority to establish and operate special volunteer and demonstration programs.

"Sec. 123. Technical and financial assistance.

“Sec. 124. Literacy challenge grants.

“TITLE II—NATIONAL SENIOR VOLUNTEER CORPS

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“Sec. 200. Statement of purposes.

“PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

“Sec. 201. Grants and contracts for volunteer service projects.

“PART B—FOSTER GRANDPARENT PROGRAM

“Sec. 211. Grants and contracts for volunteer service projects.

“PART C—SENIOR COMPANION PROGRAM

“Sec. 213. Grants and contracts for volunteer service projects.

“PART D—GENERAL PROVISIONS

“Sec. 221. Promotion of National Senior Volunteer Corps.

“Sec. 222. Payments.

“Sec. 223. Minority group participation.

“Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.

“Sec. 225. Programs of national significance.

“Sec. 226. Adjustments to Federal financial assistance.

“Sec. 227. Multiyear grants or contracts.

“PART E—DEMONSTRATION PROGRAMS

“Sec. 231. Authority of Director.

“Sec. 232. Prohibition.

“TITLE IV—ADMINISTRATION AND COORDINATION

“Sec. 403. Political activities.

“Sec. 404. Special limitations.

“Sec. 406. Labor standards.

“Sec. 408. Joint funding.

“Sec. 409. Prohibition of Federal control.

“Sec. 410. Coordination with other programs.

“Sec. 411. Prohibition.

“Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.

“Sec. 414. Distribution of benefits between rural and urban areas.

“Sec. 415. Application of Federal law.

“Sec. 416. Evaluation.

“Sec. 417. Nondiscrimination provisions.

“Sec. 418. Eligibility for other benefits.

“Sec. 419. Legal expenses.

“Sec. 421. Definitions.

“Sec. 422. Audit.

“Sec. 423. Reduction of paperwork.

“Sec. 424. Review of project renewals.

“Sec. 425. Protection against improper use.

“Sec. 426. Center for Research and Training.

“TITLE V—AUTHORIZATION OF APPROPRIATIONS

“Sec. 501. National volunteer antipoverty programs.

“Sec. 502. National Senior Volunteer Corps.

“Sec. 503. Administration and coordination.

“Sec. 504. Availability of appropriations.

“TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS

“Sec. 601. Supersedence of Reorganization Plan No. 1 of July 1, 1971.

“Sec. 602. Creditable service for civil service retirement.

“Sec. 603. Repeal of title VIII of the Economic Opportunity Act.

“Sec. 604. Repeal of title VI of the Older Americans Act.”.

1 **SEC. 392. EFFECTIVE DATE.**

2 This subtitle, and the amendments made by this sub-
3 title shall take effect on October 1, 1993.

4 **Subtitle C—Youth Conservation**
5 **Corps Act of 1970**

6 **SEC. 399. PUBLIC LANDS CORPS.**

7 (a) IN GENERAL.—Public Law 91–378 (16 U.S.C.
8 1701–1706; commonly known as the “Youth Conservation
9 Corps Act of 1970”) is amended—

10 (1) by inserting before section 1 the following:

11 **“TITLE I—YOUTH**
12 **CONSERVATION CORPS”;**

13 (2) by striking “Act” each place such term ap-
14 pears and inserting “title”;

15 (3) by redesignating sections 1 through 6 as
16 sections 101 through 106, respectively;

17 (4) in subsection (a) of section 102 (as redesign-
18 nated by paragraph (3)), by inserting “in this title”
19 after “hereinafter”;

20 (5) in subsection (d) of section 104 (as redesign-
21 nated by paragraph (3)), by striking “section 6” and
22 inserting “section 106”; and

1 (6) by adding at the end the following new title:

2 **“TITLE II—PUBLIC LANDS**
3 **CORPS**

4 **“SEC. 201. SHORT TITLE.**

5 “This title may be cited as the ‘Public Lands Corps
6 Act of 1993’.

7 **“SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE.**

8 “(a) FINDINGS.—The Congress finds the following:

9 “(1) Conserving or developing natural and cul-
10 tural resources and enhancing and maintaining envi-
11 ronmentally important lands and waters through the
12 use of the Nation’s young men and women in a Pub-
13 lic Lands Corps can benefit those men and women
14 by providing such men and women with education
15 and work opportunities, furthering their understand-
16 ing and appreciation of the natural and cultural re-
17 sources, and providing a means to pay for higher
18 education or to repay indebtedness such men and
19 women have incurred to obtain higher education
20 while at the same time benefiting the Nation’s econ-
21 omy and environment.

22 “(2) Many facilities and natural resources lo-
23 cated on public lands and on Indian lands are in dis-
24 repair or degraded and in need of labor intensive re-
25 habilitation, restoration, and enhancement work that

1 cannot be carried out by Federal agencies at existing
2 personnel levels.

3 “(3) Youth conservation corps have established
4 a good record of restoring and maintaining these
5 kinds of facilities and resources in a cost-effective
6 and efficient manner, especially when the corps have
7 worked in partnership arrangements with govern-
8 ment land management agencies.

9 “(b) PURPOSE.—It is the purpose of this title to—

10 “(1) perform, in a cost-effective manner, appro-
11 priate conservation projects on public lands and In-
12 dian lands where such projects will not be performed
13 by existing employees;

14 “(2) assist governments and Indian tribes in
15 performing research and public education tasks asso-
16 ciated with natural and cultural resources on public
17 lands and Indian lands;

18 “(3) expose young men and women to public
19 service while furthering their understanding and ap-
20 preciation of the Nation’s natural and cultural re-
21 sources;

22 “(4) expand educational opportunities by re-
23 warding individuals who participate in national serv-
24 ice with an increased ability to pursue higher edu-
25 cation or job training; and

1 “(5) stimulate interest among the Nation’s
2 young men and women in conservation careers by
3 exposing such men and women to conservation pro-
4 fessionals in land managing agencies.

5 **“SEC. 203. DEFINITIONS.**

6 “For purposes of this title:

7 “(1) APPROPRIATE CONSERVATION PROJECT.—

8 The term ‘appropriate conservation project’ means
9 any project for the conservation, restoration, con-
10 struction, or rehabilitation of natural, cultural, his-
11 toric, archaeological, recreational, or scenic re-
12 sources.

13 “(2) CORPS AND PUBLIC LANDS CORPS.—The
14 terms ‘Corps’ and ‘Public Lands Corps’ mean the
15 Public Lands Corps established under section 204.

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

20 “(4) INDIAN LANDS.—The term ‘Indian lands’
21 means—

22 “(A) any Indian reservation;

23 “(B) any public domain Indian allotments;

24 “(C) any former Indian reservation in the
25 State of Oklahoma;

1 “(D) any land held by incorporated Native
2 groups, regional corporations, and village cor-
3 porations under the Alaska Native Claims Set-
4 tlement Act (43 U.S.C. 1601 et seq.); and

5 “(E) any land held by dependent Indian
6 communities within the borders of the United
7 States whether within the original or subse-
8 quently acquired territory thereof, and whether
9 within or without the limits of a State.

10 “(5) INDIAN TRIBE.—The term ‘Indian tribe’
11 means—

12 “(A) an Indian tribe, band, nation, or
13 other organized group or community,
14 including—

15 “(i) any Native village, as defined in
16 section 3(c) of the Alaska Native Claims
17 Settlement Act (43 U.S.C. 1602(c)),
18 whether organized traditionally or pursu-
19 ant to the Act of June 18, 1934 (com-
20 monly known as the ‘Indian Reorganiza-
21 tion Act’; 48 Stat. 984, chapter 576; 25
22 U.S.C 461 et seq.); and

23 “(ii) any Regional Corporation or Vil-
24 lage Corporation, as defined in subsection
25 (g) or (j), respectively, of section 3 of the

1 Alaska Native Claims Settlement Act (43
2 U.S.C. 1602 (g) or (j)),
3 that is recognized as eligible for the special pro-
4 grams and services provided by the United
5 States under Federal law to Indians because of
6 their status as Indians; and

7 “(B) any tribal organization controlled,
8 sanctioned, or chartered by an entity described
9 in subparagraph (A).

10 “(6) PUBLIC LANDS.—The term ‘public lands’
11 means any lands or waters (or interest therein)
12 owned or administered by the United States, except
13 that such term does not include any Indian lands.

14 “(7) QUALIFIED YOUTH OR CONSERVATION
15 CORPS.—The term ‘qualified youth or conservation
16 corps’ means any program established by a State or
17 local government, by the governing body of any In-
18 dian tribe, or by a nonprofit organization, that—

19 “(A) is capable of offering meaningful,
20 full-time, productive work for individuals be-
21 tween the ages of 16 and 25, inclusive, in a
22 natural or cultural resource setting;

23 “(B) gives participants a mix of work ex-
24 perience, basic and life skills, education, train-
25 ing, and support services; and

1 “(C) provides participants with the oppor-
2 tunity to develop citizenship values and skills
3 through service to their community and the
4 United States.

5 “(8) RESOURCE ASSISTANT.—The term ‘re-
6 source assistant’ means a resource assistant selected
7 under section 206.

8 “(9) STATE.—The term ‘State’ means any
9 State of the United States, the District of Columbia,
10 the Commonwealth of Puerto Rico, Guam, the Vir-
11 gin Islands, American Samoa, and the Common-
12 wealth of the Northern Mariana Islands.

13 **“SEC. 204. PUBLIC LANDS CORPS PROGRAM.**

14 “(a) ESTABLISHMENT OF PUBLIC LANDS CORPS.—
15 There is hereby established in the Department of the Inte-
16 rior and the Department of Agriculture a Public Lands
17 Corps.

18 “(b) PARTICIPANTS.—The Corps shall consist of indi-
19 viduals between the ages of 16 and 25, inclusive, who are
20 enrolled as participants in the Corps by the Secretary of
21 the Interior or the Secretary of Agriculture. To be eligible
22 for enrollment in the Corps, an individual shall satisfy the
23 criteria specified in section 137(b) of the National and
24 Community Service Act of 1990. The Secretaries may en-
25 roll such individuals in the Corps without regard to the

1 provisions of title 5, United States Code, governing ap-
2 pointments in the competitive service, and without regard
3 to the provisions of chapter 51 and subchapter III of chap-
4 ter 53 of such title relating to classification and General
5 Schedule pay rates. The Secretaries may establish a pref-
6 erence for the enrollment in the Corps of individuals who
7 are economically, physically, or educationally disadvan-
8 taged.

9 “(c) QUALIFIED YOUTH OR CONSERVATION
10 CORPS.—The Secretary of the Interior and the Secretary
11 of Agriculture are authorized to enter into contracts and
12 cooperative agreements with any qualified youth or con-
13 servation corps to perform appropriate conservation
14 projects referred to in subsection (d).

15 “(d) PROJECTS TO BE CARRIED OUT.—The Sec-
16 retary of the Interior and the Secretary of Agriculture
17 may each utilize the Corps or any qualified youth or con-
18 servation corps to carry out appropriate conservation
19 projects that such Secretary is authorized to carry out
20 under other authority of law on public lands. Appropriate
21 conservation projects may also be carried out under this
22 title on Indian lands with the approval of the Indian tribe
23 involved.

24 “(e) PREFERENCE FOR CERTAIN PROJECTS.—In se-
25 lecting appropriate conservation projects to be carried out

1 under this title, the Secretary of the Interior and the Sec-
2 retary of Agriculture shall give preference to those
3 projects that—

4 “(1) will provide long-term benefits to the pub-
5 lic;

6 “(2) will instill in the enrollee involved a work
7 ethic and a sense of public service;

8 “(3) will be labor intensive;

9 “(4) can be planned and initiated promptly; and

10 “(5) will provide academic, experiential, or envi-
11 ronmental education opportunities.

12 “(f) CONSISTENCY.—Each appropriate conservation
13 project carried out under this title on any public lands
14 or Indian lands shall be consistent with the provisions of
15 law and policies relating to the management and adminis-
16 tration of such lands, with all other applicable provisions
17 of law, and with all management, operational, and other
18 plans and documents that govern the administration of the
19 area.

20 **“SEC. 205. CONSERVATION CENTERS.**

21 “(a) ESTABLISHMENT AND USE.—The Secretary of
22 the Interior and the Secretary of Agriculture are each au-
23 thorized to provide such quarters, board, medical care,
24 transportation, and other services, facilities, supplies, and
25 equipment as such Secretary determines to be necessary

1 in connection with the Public Lands Corps and appro-
2 priate conservation projects carried out under this title
3 and to establish and use conservation centers owned and
4 operated by such Secretary for purposes of the Corps and
5 such projects. The Secretaries shall establish basic stand-
6 ards of health, nutrition, sanitation, and safety for all con-
7 servation centers established under this section and shall
8 assure that such standards are enforced. Where necessary
9 or appropriate, the Secretaries may enter into contracts
10 and other appropriate arrangements with State and local
11 government agencies and private organizations for the
12 management of such conservation centers.

13 “(b) LOGISTICAL SUPPORT.—The Secretary of the
14 Interior and the Secretary of Agriculture may make ar-
15 rangements with the Secretary of Defense to have
16 logistical support provided by the Armed Forces to the
17 Corps and any conservation center established under this
18 section, where feasible. Logistical support may include the
19 provision of temporary tent shelters where needed, trans-
20 portation, and residential supervision.

21 “(c) USE OF MILITARY INSTALLATIONS.—The Sec-
22 retary of the Interior and the Secretary of Agriculture
23 may make arrangements with the Secretary of Defense to
24 identify military installations and other facilities of the
25 Department of Defense and, in consultation with the adju-

1 tant generals of the State National Guards, National
2 Guard facilities that may be used, in whole or in part,
3 by the Corps for training or housing Corps participants.

4 **“SEC. 206. RESOURCE ASSISTANTS.**

5 “(a) AUTHORIZATION.—The Secretary of the Interior
6 and the Secretary of Agriculture are each authorized to
7 provide individual placements of resource assistants with
8 any Federal land managing agency under the jurisdiction
9 of such Secretary to carry out research or resource protec-
10 tion activities on behalf of the agency. To be eligible for
11 selection as a resource assistant, an individual shall be at
12 least 17 years of age. The Secretaries may select resource
13 assistants without regard to the provisions of title 5, Unit-
14 ed States Code, governing appointments in the competitive
15 service, and without regard to the provisions of chapter
16 51 and subchapter III of chapter 53 of such title relating
17 to classification and General Schedule pay rates. The Sec-
18 retaries shall give a preference to the selection of individ-
19 uals who are enrolled in an institution of higher education
20 or are recent graduates from an institution of higher edu-
21 cation, as defined in section 1201(a) of the Higher Edu-
22 cation Act of 1965 (20 U.S.C. 1141(a)) with particular
23 attention given to ensure the full representation of women
24 and participants from historically black, Hispanic, and
25 Native American schools.

1 “(b) USE OF EXISTING NONPROFIT ORGANIZA-
2 TIONS.—Whenever one or more existing nonprofit organi-
3 zations can provide, in the judgment of the Secretary of
4 the Interior or the Secretary of Agriculture, appropriate
5 recruitment and placement services to fulfill the require-
6 ments of this section, the Secretary may implement this
7 section through such existing organizations. Participating
8 nonprofit organizations shall contribute to the expenses of
9 providing and supporting the resource assistants, through
10 private sources of funding, at a level equal to 25 percent
11 of the total costs of each participant in the resource assist-
12 ant program who has been recruited and placed through
13 that organization. Any such participating nonprofit con-
14 servation service organization shall be required, by the re-
15 spective land managing agency, to submit an annual re-
16 port evaluating the scope, size, and quality of the program,
17 including the value of work contributed by the resource
18 assistants, to the mission of the agency.

19 **“SEC. 207. LIVING ALLOWANCES AND TERMS OF SERVICE.**

20 “(a) LIVING ALLOWANCES.—The Secretary of the In-
21 terior and the Secretary of Agriculture shall provide each
22 participant in the Public Lands Corps and each resource
23 assistant with a living allowance in an amount not to ex-
24 ceed the maximum living allowance authorized by section
25 140(a)(3) of the National and Community Service Act of

1 1990 for participants in a national service program as-
2 sisted under subtitle C of title I of such Act.

3 “(b) TERMS OF SERVICE.—Each participant in the
4 Corps and each resource assistant shall agree to partici-
5 pate in the Corps or serve as a resource assistant, as the
6 case may be, for such term of service as may be estab-
7 lished by the Secretary enrolling or selecting the individ-
8 ual.

9 **“SEC. 208. NATIONAL SERVICE EDUCATIONAL AWARDS.**

10 “(a) EDUCATIONAL BENEFITS AND AWARDS.—If a
11 participant in the Public Lands Corps or a resource assist-
12 ant also serves in an approved national service position
13 designated under subtitle C of title I of the National and
14 Community Service Act of 1990, the participant or re-
15 source assistant shall be eligible for a national service edu-
16 cational award in the manner prescribed in subtitle D of
17 such title upon successfully complying with the require-
18 ments for the award. The period during which the national
19 service educational award may be used, the purposes for
20 which the award may be used, and the amount of the
21 award shall be determined as provided under such subtitle.

22 “(b) FORBEARANCE IN THE COLLECTION OF STAF-
23 FORD LOANS.—For purposes of section 428 of the Higher
24 Education Act of 1965, in the case of borrowers who are
25 either participants in the Corps or resource assistants,

1 upon written request, a lender shall grant a borrower for-
2 bearance on such terms as are otherwise consistent with
3 the regulations of the Secretary of Education, during peri-
4 ods in which the borrower is serving as such a participant
5 or a resource assistant.

6 **“SEC. 209. NONDISPLACEMENT.**

7 “The nondisplacement requirements of section 177 of
8 the National and Community Service Act of 1990 shall
9 be applicable to all activities carried out by the Public
10 Lands Corps, to all activities carried out under this title
11 by a qualified youth or conservation corps, and to the se-
12 lection and service of resource assistants.

13 **“SEC. 210. FUNDING.**

14 “(a) COST SHARING.—

15 “(1) PROJECTS BY QUALIFIED YOUTH OR CON-
16 SERVATION CORPS.—The Secretary of the Interior
17 and the Secretary of Agriculture are each authorized
18 to pay not more than 75 percent, and shall collec-
19 tively pay 75 percent, of the costs of any appropriate
20 conservation project carried out pursuant to this
21 title on public lands by a qualified youth or con-
22 servation corps. The remaining 25 percent of the
23 costs of such a project may be provided from non-
24 Federal sources in the form of funds, services, facili-
25 ties, materials, equipment, or any combination of the

1 foregoing. No cost sharing shall be required in the
2 case of any appropriate conservation project carried
3 out on Indian lands under this title.

4 “(2) PUBLIC LANDS CORPS PROJECTS.—The
5 Secretary of the Interior and the Secretary of Agri-
6 culture are each authorized to accept donations of
7 funds, services, facilities, materials, or equipment for
8 the purposes of operating the Public Lands Corps
9 and carrying out appropriate conservation projects
10 by the Corps. The Department of the Interior and
11 the Department of Agriculture shall comply with the
12 Federal share requirements of section 129(d)(2)(B)
13 of the National and Community Service Act of 1990.

14 “(b) FUNDS AVAILABLE UNDER NATIONAL AND
15 COMMUNITY SERVICE ACT.—In order to carry out the
16 Public Lands Corps or to support resource assistants and
17 qualified youth or conservation corps under this title, the
18 Secretary of the Interior and the Secretary of Agriculture
19 shall be eligible to apply for and receive assistance de-
20 scribed in section 121(b) of the National and Community
21 Service Act of 1990, from funds available under section
22 129(d)(2).”.

23 (b) EFFECTIVE DATE.—The amendments made by
24 subsection (a) shall take effect on October 1, 1993.

1 **TITLE IV—TECHNICAL AND**
2 **CONFORMING AMENDMENTS**

3 **SEC. 401. DEFINITIONS.**

4 Section 421 of the Domestic Volunteer Service Act
5 of 1973 (42 U.S.C. 5061) is amended—

6 (1) by striking “and” at the end of paragraph

7 (6);

8 (2) by striking the period at the end of para-
9 graph (7) and inserting a semicolon; and

10 (3) by adding at the end the following new
11 paragraphs:

12 “(8) the term ‘Corporation’ means the Corpora-
13 tion for National and Community Service established
14 under section 191 of the National and Community
15 Service Act of 1990;

16 “(9) the term ‘foster grandparent’ means a vol-
17 unteer in the Foster Grandparent Program;

18 “(10) the term ‘Foster Grandparent Program’
19 means the program established under part B of title
20 II;

21 “(11) except as provided in section 417, the
22 term ‘individual with a disability’ has the meaning
23 given the term in section 7(8) of the Rehabilitation
24 Act of 1973 (29 U.S.C. 706(8));

1 “(12) the term ‘Inspector General’ means the
2 Inspector General of ACTION;

3 “(13) the term ‘national senior volunteer’
4 means a volunteer in the National Senior Volunteer
5 Corps;

6 “(14) the term ‘National Senior Volunteer
7 Corps’ means the programs established under parts
8 A, B, C, and E of title II;

9 “(15) the term ‘Retired and Senior Volunteer
10 Program’ means the program established under part
11 A of title II;

12 “(16) the term ‘retired or senior volunteer’
13 means a volunteer in the Retired and Senior Volun-
14 teer Program;

15 “(17) the term ‘senior companion’ means a vol-
16 unteer in the Senior Companion Program;

17 “(18) the term ‘Senior Companion Program’
18 means the program established under part C of title
19 II;

20 “(19) the terms ‘VISTA’ and ‘Volunteers in
21 Service to America’ mean the program established
22 under part A of title I; and

23 “(20) the term ‘VISTA volunteer’ means a vol-
24 unteer in VISTA.”.

1 **SEC. 402. REFERENCES TO THE COMMISSION ON NATIONAL**
2 **AND COMMUNITY SERVICE.**

3 (a) NATIONAL DEFENSE AUTHORIZATION ACT FOR
4 FISCAL YEAR 1993.—

5 (1) Section 1092(b) of the National Defense
6 Authorization Act for Fiscal Year 1993 (42 U.S.C.
7 12653a note) is amended—

8 (A) in paragraph (1)—

9 (i) by striking “Commission on Na-
10 tional Community Service” and inserting
11 “Corporation for National and Community
12 Service”; and

13 (ii) by striking “Commission shall pre-
14 pare” and inserting “Board of Directors of
15 the Corporation shall prepare”; and

16 (B) in paragraph (2), by striking “Board
17 of Directors of the Commission on National and
18 Community Service” and inserting “Board of
19 Directors of the Corporation for National and
20 Community Service”.

21 (2) Section 1093(a) of such Act (42 U.S.C.
22 12653a note) is amended by striking “the Board of
23 Directors and Executive Director of the Commission
24 on National and Community Service” and inserting
25 “the Board of Directors and President of the Cor-
26 poration for National and Community Service”.

1 (3) Section 1094 of such Act (Public Law 102–
2 484; 106 Stat. 2535) is amended—

3 (A) in the title, by striking “**COMMISSION**
4 **ON NATIONAL AND COMMUNITY SERVICE**”
5 and inserting “**CORPORATION FOR NA-**
6 **TIONAL AND COMMUNITY SERVICE**”;

7 (B) in subsection (a)—

8 (i) in the heading, by striking “COM-
9 MISSION” and inserting “CORPORATION”;

10 (ii) in the first sentence, by striking
11 “Commission on National and Community
12 Service” and inserting “Corporation for
13 National and Community Service”; and

14 (iii) in the second sentence, by strik-
15 ing “The Commission” and inserting “The
16 President of the Corporation”; and

17 (C) in subsection (b)—

18 (i) in paragraph (1), by striking
19 “Board of Directors of the Commission on
20 National and Community Service” and in-
21 serting “President of the Corporation for
22 National and Community Service”; and

23 (ii) in paragraph (2), by striking “the
24 Commission” and inserting “the President

1 of the Corporation for National and Com-
2 munity Service”.

3 (4) Section 1095 of such Act (Public Law 102–
4 484; 106 Stat. 2535) is amended in the heading for
5 subsection (b) by striking “COMMISSION ON NA-
6 TIONAL AND COMMUNITY SERVICE” and inserting
7 “CORPORATION FOR NATIONAL AND COMMUNITY
8 SERVICE”.

9 (5) Section 2(b) of such Act (Public Law 102–
10 484; 106 Stat. 2315) is amended by striking the
11 item relating to section 1094 of such Act and insert-
12 ing the following:

“Sec. 1094. Other programs of the Corporation for National and Community
Service.”.

13 (b) NATIONAL AND COMMUNITY SERVICE ACT OF
14 1990.—

15 (1) Sections 159(b)(2) (as redesignated in sec-
16 tion 104(b)(3) of this Act) and 165 (as redesignated
17 in section 104(b)(3) of this Act), subsections (a) and
18 (b) of section 172, sections 176(a) and 177(c), and
19 subsections (a), (b), and (d) through (h) of section
20 179, of the National and Community Service Act of
21 1990 (42 U.S.C. 12653h(b)(2), 12653n, 12632 (a)
22 and (b), 12636(a), 12637(c), and 12639 (a), (b),
23 and (d) through (h)) are each amended by striking

1 the term “Commission” each place the term appears
2 and inserting “Corporation”.

3 (2) Sections 152, 157(b)(2), 162(a)(2)(C), 164,
4 and 166(1) of such Act (in each case, as redesign-
5 nated in section 104(b)(3) of this Act) (42 U.S.C.
6 12653a, 12653f(b)(2), 12653k(a)(2)(C), 12653m,
7 and 12653o(1)) are each amended by striking
8 “Commission on National and Community Service”
9 and inserting “Corporation”.

10 (3) Section 163(b)(9) of such Act (as redesign-
11 nated in section 104(b)(3) of this Act) (42 U.S.C.
12 12635l(b)(9)) is amended by striking “Chair of the
13 Commission on National and Community Service”
14 and inserting “President”.

15 (4) Section 303(a) of such Act (42 U.S.C.
16 12662(a)) is amended—

17 (A) by striking “The President” and in-
18 serting “The President of the United States,
19 acting through the Corporation,”;

20 (B) by inserting “in furtherance of activi-
21 ties under section 302” after “section 501(b)”;
22 and

23 (C) by striking “the President” both places
24 it appears and inserting “the Corporation”.

1 **SEC. 403. REFERENCES TO DIRECTORS OF THE COMMIS-**
2 **SION ON NATIONAL AND COMMUNITY SERV-**
3 **ICE.**

4 (a) **PRESIDENT.—**

5 (1) Section 159(a) of such Act (as redesignated
6 in section 104(b)(3) of this Act) (42 U.S.C.
7 12653h(b)) is amended—

8 (A) by striking “BOARD.—The Board”
9 and inserting “SUPERVISION.—The President”;

10 (B) by striking “the Board” in the matter
11 preceding paragraph (1), and in paragraph (1),
12 and inserting “the President”; and

13 (C) by striking “the Director” in para-
14 graph (1) and inserting “the Board”.

15 (2) Section 159(b) of such Act (as redesignated
16 in section 104(b)(3) of this Act) (42 U.S.C.
17 12653h(b)) is amended by striking “(b)” and all
18 that follows through “Commission on National and
19 Community Service” and inserting “(b) MONITOR-
20 ING AND COORDINATION.—The President”.

21 (3) Section 159(c)(1) (as redesignated in sec-
22 tion 104(b)(3) of this Act) (42 U.S.C. 12653h(c)(1))
23 is amended—

24 (A) in subparagraph (A), by striking “the
25 Board, in consultation with the Executive Di-
26 rector,” and inserting “the President”; and

1 (B) in subparagraph (B)(iii), by striking
2 “the Board through the Executive Director”
3 and inserting “the President”.

4 (4) Section 166(6) (as redesignated in section
5 104(b)(3) of this Act) (42 U.S.C. 12653o(6)) is
6 amended—

7 (A) by striking paragraph (6); and

8 (B) by redesignating paragraphs (7)
9 through (11) as paragraphs (6) through (10),
10 respectively.

11 (b) DIRECTOR OF CIVILIAN COMMUNITY CORPS.—
12 Sections 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and
13 163(a) (in each case, as redesignated in section 104(b)(3)
14 of this Act) of the National and Community Service Act
15 of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A),
16 12653g(a), 12653h(c)(1)(A), and 12653l(a)) are amended
17 by striking “Director of the Civilian Community Corps”
18 each place the term appears and inserting “Director”.

19 **SEC. 404. DEFINITION OF DIRECTOR.**

20 Section 421 of the Domestic Volunteer Service Act
21 of 1973 (42 U.S.C. 5061) is amended by striking para-
22 graph (1) and inserting the following new paragraph:

23 “(1) the term ‘Director’ means the President of
24 the Corporation for National and Community Serv-

1 ice appointed under section 193 of the National and
2 Community Service Act of 1990;”.

3 **SEC. 405. REFERENCES TO ACTION AND THE ACTION**
4 **AGENCY.**

5 (a) DOMESTIC VOLUNTEER SERVICE ACT OF
6 1973.—

7 (1) Section 2(b) of the Domestic Volunteer
8 Service Act of 1973 (42 U.S.C. 4950(b)) is
9 amended—

10 (A) by striking “ACTION, the Federal do-
11 mestic volunteer agency,” and inserting “this
12 Act”; and

13 (B) by striking “ACTION shall” and in-
14 serting “the Corporation for National and Com-
15 munity Service shall”.

16 (2) Subtitle (b) of section 124 of such Act (as
17 redesignated by section 322(2) of this Act) is
18 amended by striking “the ACTION Agency” and in-
19 serting “the Corporation”.

20 (3) Section 225(e) of such Act (42 U.S.C.
21 5025(e)) is amended by striking “the ACTION
22 Agency” and inserting “the Corporation”.

23 (4) Section 403(a) of such Act (42 U.S.C.
24 5043(a)) is amended—

1 (A) by striking “the ACTION Agency” the
2 first place such term appears and inserting “the
3 Corporation under this Act”; and

4 (B) by striking “the ACTION Agency” the
5 second place such term appears and inserting
6 “the Corporation”.

7 (5) Section 408 of such Act (42 U.S.C. 5048)
8 is amended by striking “the ACTION Agency” and
9 inserting “the Corporation”.

10 (6) Section 421(12) of such Act (as added by
11 section 401 of this Act) is further amended by strik-
12 ing “ACTION” and inserting “the Corporation”.

13 (7) Section 425 of such Act (as added by sec-
14 tion 370 of this Act) is further amended by striking
15 “ACTION” and inserting “the Corporation”.

16 (b) CIVIL SERVICE RETIREMENT SYSTEM.—Section
17 8332(j)(1) of title 5, United States Code (as amended by
18 section 372(a)(1)(A)(iii)(II) of this Act) is amended by
19 striking “the Director of ACTION” and inserting “the
20 President of the Corporation for National and Community
21 Service”.

22 (c) PUBLIC HOUSING SECURITY.—Section 207(c) of
23 the Public Housing Security Demonstration Act of 1978
24 (Public Law 95–557; 92 Stat. 2093; 12 U.S.C. 1701z–
25 6 note) is amended—

1 (1) in paragraph (3)(ii), by striking “ACTION”
2 and inserting “the Corporation for National and
3 Community Service”; and

4 (2) in paragraph (4), by striking “ACTION”
5 and inserting “the Corporation for National and
6 Community Service”.

7 (d) NATIONAL FOREST VOLUNTEERS.—Section 1 of
8 the Volunteers in the National Forests Act of 1972 (16
9 U.S.C. 558a) is amended by striking “ACTION” and in-
10 serting “the Corporation for National and Community
11 Service”.

12 (e) PEACE CORPS.—Section 2A of the Peace Corps
13 Act (22 U.S.C. 2501–1) is amended by inserting after
14 “the ACTION Agency” the following: “, the successor to
15 the ACTION Agency,”.

16 (f) INDIAN ECONOMIC DEVELOPMENT.—Section 502
17 of the Indian Financing Act of 1974 (25 U.S.C. 1542)
18 is amended by striking “ACTION Agency” and inserting
19 “the Corporation for National and Community Service”.

20 (g) OLDER AMERICANS.—The Older Americans Act
21 of 1965 is amended—

22 (1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)),
23 by striking “the Director of the ACTION Agency”
24 and inserting “the Corporation for National and
25 Community Service”;

1 (2) in section 203(a)(1) (42 U.S.C.
2 3013(a)(1)), by striking “the ACTION Agency” and
3 inserting “the Corporation for National and Com-
4 munity Service”; and

5 (3) in section 422(b)(12)(C) (42 U.S.C.
6 3035a(b)(12)(C)), by striking “the ACTION Agen-
7 cy” and inserting “the Corporation for National and
8 Community Service”.

9 (h) VISTA SERVICE EXTENSION.—Section 101(c)(1)
10 of the Domestic Volunteer Service Act Amendments of
11 1989 (Public Law 101–204; 103 Stat. 1810; 42 U.S.C.
12 4954 note) is amended by striking “Director of the AC-
13 TION Agency” and inserting “President of the Corpora-
14 tion for National and Community Service”.

15 (i) AGING RESOURCE SPECIALISTS.—Section 205(c)
16 of the Older Americans Amendments of 1975 (Public Law
17 94–135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

18 (1) in paragraph (1)—

19 (A) by striking “the ACTION Agency,”
20 and inserting “the Corporation for National
21 and Community Service,”; and

22 (B) by striking “the Director of the AC-
23 TION Agency” and inserting “the President of
24 the Corporation”;

1 (2) in paragraph (2)(A), by striking “ACTION
2 Agency” and inserting “Corporation”; and

3 (3) in paragraph (3), by striking subparagraph
4 (A) and inserting the following new subparagraph:

5 “(A) the term ‘Corporation’ means the Cor-
6 poration for National and Community Service estab-
7 lished by section 191 of the National and Commu-
8 nity Service Act of 1990.”.

9 (j) PROMOTION OF PHOTOVOLTAIC ENERGY.—Sec-
10 tion 11(a) of the Solar Photovoltaic Energy Research, De-
11 velopment, and Demonstration Act of 1978 (42 U.S.C.
12 5590) is amended by striking “the Director of ACTION,”.

13 (k) COORDINATING COUNCIL ON JUVENILE JUS-
14 TICE.—Section 206(a)(1) of the Juvenile Justice and De-
15 linquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1))
16 is amended by striking “the Director of the ACTION
17 Agency” and inserting “the President of the Corporation
18 for National and Community Service”.

19 (l) ENERGY CONSERVATION.—Section 413(b)(1) of
20 the Energy Conservation and Production Act (42 U.S.C.
21 6863(b)(1)) is amended by striking “the Director of the
22 ACTION Agency,”.

23 (m) INTERAGENCY COUNCIL ON THE HOMELESS.—
24 Section 202(a) of the Stewart B. McKinney Homeless As-
25 sistance Act (42 U.S.C. 11312(a)) is amended by striking

1 paragraph (12) and inserting the following new para-
2 graph:

3 “(12) The President of the Corporation for Na-
4 tional and Community Service, or the designee of
5 the President.”.

6 (n) ANTI-DRUG ABUSE.—Section 3601 of the Anti-
7 Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended
8 by striking paragraph (5) and inserting the following new
9 paragraph:

10 “(5) the term ‘Director’ means the President of
11 the Corporation for National and Community Serv-
12 ice,”.

13 (o) ADMINISTRATION ON CHILDREN, YOUTH, AND
14 FAMILIES.—Section 916(b) of the Claude Pepper Young
15 Americans Act of 1990 (42 U.S.C. 12312(b)) is amended
16 by striking “the Director of the ACTION Agency” and
17 inserting “the President of the Corporation for National
18 and Community Service”.

19 **SEC. 406. EFFECTIVE DATE.**

20 (a) COMMISSION.—The amendments made by sec-
21 tions 401 through 402 will take effect on October 1, 1993.

22 (b) ACTION.—The amendments made by sections
23 404 and 405 shall take effect on the effective date of sec-
24 tion 203(c)(2).

1 **TITLE V—RURAL COMMUNITY**
2 **SERVICE**

3 **SEC. 501. RURAL COMMUNITY SERVICE.**

4 Title XI of the of the Higher Education Act of 1965
5 (20 U.S.C. 1136 et seq.) is amended by adding at the end
6 the following new part:

7 **“PART C—RURAL COMMUNITY SERVICE**

8 **“SEC. 1171. FINDINGS; PURPOSE.**

9 “(a) FINDINGS.—The Congress finds that—

10 “(1) the Nation’s rural centers are facing in-
11 creasingly pressing problems and needs in the areas
12 of economic development, community infrastructure
13 and service, social policy, public health, housing,
14 crime, education, environmental concerns, planning
15 and work force preparation;

16 “(2) there are, in the Nation’s rural institu-
17 tions, people with underutilized skills, knowledge,
18 and experience who are capable of providing a vast
19 range of services towards the amelioration of the
20 problems described in paragraph (1);

21 “(3) the skills, knowledge, and experience in
22 these rural institutions, if applied in a systematic
23 and sustained manner, can make a significant con-
24 tribution to the solution of such problems; and

1 “(4) the application of such skills, knowledge,
2 and experience is hindered by the limited funds
3 available to redirect attention to solutions to such
4 rural problems.

5 “(b) PURPOSE.—It is the purpose of this part to pro-
6 vide incentives to rural academic institutions to enable
7 such institutions to work with private and civic organiza-
8 tions to devise and implement solutions to pressing and
9 severe problems in their communities.

10 **“SEC. 1172. PROGRAM.**

11 “The Secretary is authorized to carry out a program
12 of providing assistance to eligible institutions to enable
13 such institutions to carry out the authorized activities de-
14 scribed in section 1174 in accordance with the provisions
15 of this part.

16 **“SEC. 1173. APPLICATIONS FOR RURAL COMMUNITY SERV-
17 ICE GRANTS.**

18 “(a) APPLICATION.—

19 “(1) IN GENERAL.—Each eligible institution de-
20 siring a grant under this part shall submit to the
21 Secretary an application at such time, in such form,
22 and containing or accompanied by such information
23 and assurances, as the Secretary may require by
24 regulation.

1 “(2) CONTENTS.—Each application submitted
2 pursuant to paragraph (1) shall—

3 “(A) describe the activities and services for
4 which assistance is sought; and

5 “(B) contain assurances that the eligible
6 institution will enter into a consortium to carry
7 out the provisions of this part that includes, in
8 addition to the eligible institution, one or more
9 of the following entities:

10 “(i) A community college.

11 “(ii) A rural local educational agency.

12 “(iii) A local government.

13 “(iv) A business or other employer.

14 “(v) A nonprofit institution.

15 “(3) WAIVER.—The Secretary may waive the
16 consortium requirements described in paragraph (2)
17 for any applicant who can demonstrate to the satis-
18 faction of the Secretary that the applicant has de-
19 vised an integrated and coordinated plan which
20 meets the purpose of this part.

21 “(b) PRIORITY IN SELECTION OF APPLICATIONS.—
22 The Secretary shall give priority to applications that pro-
23 pose to conduct joint projects supported by other local,
24 State, and Federal programs.

1 “(c) SELECTION PROCEDURES.—The Secretary, by
2 regulation, shall develop a formal procedure for the sub-
3 mission of applications under this part and shall publish
4 in the Federal Register an announcement of that proce-
5 dure and the availability of funds under this part.

6 **“SEC. 1174. AUTHORIZED ACTIVITIES.**

7 “Grant funds made available under this part shall be
8 used to support planning, applied research, training, re-
9 source exchanges or technology transfers, the delivery of
10 services, or other activities the purpose of which is to de-
11 sign and implement programs to assist rural communities
12 to meet and address their pressing and severe problems,
13 such as any of the following:

14 “(1) Work force preparation.

15 “(2) Rural poverty and the alleviation of such
16 poverty.

17 “(3) Health care, including health care delivery
18 and access as well as health education, prevention
19 and wellness.

20 “(4) Underperforming school systems and stu-
21 dents.

22 “(5) Problems faced by the elderly and individ-
23 uals with disabilities in rural settings.

24 “(6) Problems faced by families and children.

1 “(7) Campus and community crime prevention,
2 including enhanced security and safety awareness
3 measures as well as coordinated programs address-
4 ing the root causes of crime.

5 “(8) Rural housing.

6 “(9) Rural infrastructure.

7 “(10) Economic development.

8 “(11) Rural farming and environmental con-
9 cerns.

10 “(12) Other problem areas which participants
11 in the consortium described in section 1173(a)(2)(B)
12 concur are of high priority in rural areas.

13 “(13)(A) Problems faced by individuals with
14 disabilities and economically disadvantaged individ-
15 uals regarding accessibility to institutions of higher
16 education and other public and private community
17 facilities.

18 “(B) Amelioration of existing attitudinal bar-
19 riers that prevent full inclusion of individuals with
20 disabilities in their community.

21 **“SEC. 1175. PEER REVIEW.**

22 “The Secretary shall designate a peer review panel
23 to review applications submitted under this part and make
24 recommendations for funding to the Secretary. In select-
25 ing the peer review panel, the Secretary may consult with

1 other appropriate Cabinet-level Federal officials and with
2 non-Federal organizations, to ensure that the panel will
3 be geographically balanced and be composed of representa-
4 tives from public and private institutions of higher edu-
5 cation, labor, business, and State and local government,
6 who have expertise in rural community service or in edu-
7 cation.

8 **“SEC. 1176. DISBURSEMENT OF FUNDS.**

9 “(a) **MULTIYEAR AVAILABILITY.**—Subject to the
10 availability of appropriations, grants under this part may
11 be made on a multiyear basis, except that no institution,
12 individually or as a participant in a consortium, may re-
13 ceive a grant for more than 5 years.

14 “(b) **EQUITABLE GEOGRAPHIC DISTRIBUTION.**—The
15 Secretary shall award grants under this part in a manner
16 that achieves equitable geographic distribution of such
17 grants.

18 “(c) **MATCHING REQUIREMENT.**—An applicant under
19 this part and the local governments associated with its ap-
20 plication shall contribute to the conduct of the program
21 supported by the grant an amount from non-Federal funds
22 equal to at least one-fourth of the amount grant, which
23 contribution may be in cash or in kind, fairly evaluated.

1 **"SEC. 1177. DESIGNATION OF RURAL GRANT INSTITUTIONS.**

2 "The Secretary shall publish a list of eligible institu-
3 tions under this part and shall designate such institutions
4 of higher education as 'Rural Grant Institutions'. The
5 Secretary shall establish a national network of Rural
6 Grant Institutions so that the results of individual projects
7 achieved in 1 rural area can be generalized, disseminated,
8 replicated and applied throughout the Nation.

9 **"SEC. 1178. DEFINITIONS.**

10 "As used in this part:

11 "(1) RURAL AREA.—The term 'rural area'
12 means any area that is—

13 "(A) outside an urbanized area, as such
14 term is defined by the Bureau of the Census;
15 and

16 "(B) outside any place that—

17 "(i) is incorporated or Bureau of the
18 Census designated; and

19 "(ii) has a population of 75,000 or
20 more.

21 "(2) ELIGIBLE INSTITUTION.—The term 'eligi-
22 ble institution' means an institution of higher edu-
23 cation, or a consortium of such institutions any one
24 of which meets all the requirements of this para-
25 graph, which—

26 "(A) is located in a rural area;

1 “(B) draws a substantial portion of its un-
2 dergraduate students from the rural area in
3 which such institution is located, or from con-
4 tiguous areas;

5 “(C) carries out programs to make post-
6 secondary educational opportunities more acces-
7 sible to residents of such rural areas, or contig-
8 uous areas;

9 “(D) has the present capacity to provide
10 resources responsive to the needs and priorities
11 of such rural areas and contiguous areas;

12 “(E) offers a range of professional, tech-
13 nical, or graduate programs sufficient to sus-
14 tain the capacity of such institution to provide
15 such resources; and

16 “(F) has demonstrated and sustained a
17 sense of responsibility to such rural area and
18 contiguous areas and the people of such areas.

19 **“SEC. 1179. AUTHORIZATION OF APPROPRIATIONS; FUND-**
20 **ING RULE.**

21 “(a) IN GENERAL.—There are authorized to be ap-
22 propriated such sums as may be necessary in each fiscal
23 year to carry out the provisions of this part.

24 “(b) FUNDING RULE.—If in any fiscal year the
25 amount appropriated pursuant to the authority of sub-

1 section (a) is less than 50 percent of the funds appro-
2 priated to carry out part A in such year, then the Sec-
3 retary shall make available in such year from funds appro-
4 priated to carry out part A an amount equal to the dif-
5 ference between 50 percent of the funds appropriated to
6 carry out part A and the amount appropriated pursuant
7 to the authority of subsection (a).”.

4 **SEC. 502. DEMONSTRATION PROJECT.**

5 (a) **IN GENERAL.**—Subtitle H of title I of the Na-
6 tional and Community Service Act of 1990 (as added by
7 section 104(c) of this Act) is amended by adding at the
8 end the following:

9 **"SEC. 198D. SPECIAL DEMONSTRATION PROJECT.**

10 “(a) **SPECIAL DEMONSTRATION PROJECT FOR THE**
11 **YUKON-KUSKOKWIM DELTA OF ALASKA.**—The President
12 may award grants to, and enter into contracts with, orga-
13 nizations to carry out programs that address significant
14 human needs in the Yukon-Kuskokwim delta region of
15 Alaska.

16 “(b) **APPLICATION.**—

17 “(1) **GENERAL REQUIREMENTS.**—To be eligible
18 to receive a grant or enter into a contract under
19 subsection (a) with respect to a program, an organi-
20 zation shall submit an application to the President
21 at such time, in such manner, and containing such
22 information as the President may require.

23 “(2) **CONTENTS.**—The application submitted by
24 the organization shall, at a minimum—

1 “(A) include information describing the
2 manner in which the program will utilize
3 VISTA volunteers, individuals who have served
4 in the Peace Corps, and other qualified persons,
5 in partnership with the local not-for-profit orga-
6 nizations known as the Yukon-Kuskokwim
7 Health Corporation and the Alaska Village
8 Council Presidents;

9 “(B) take into consideration—

10 “(i) the primarily noncash economy of
11 the region; and

12 “(ii) the needs and desires of resi-
13 dents of the local communities in the re-
14 gion; and

15 “(C) include specific strategies, developed
16 in cooperation with the Yupi’k speaking popu-
17 lation that resides in such communities, for
18 comprehensive and intensive community devel-
19 opment for communities in the Yukon-
20 Kuskokwim delta region.”.

21 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
22 tional and Community Service Act of 1990 (Public Law
23 101-610; 104 Stat. 3127) is amended by inserting after
24 the item relating to section 198C of such Act the fol-
25 lowing:

 “Sec. 198D. Special demonstration project.”.

Amend the title so as to read: "A bill to amend the National and Community Service Act of 1990 to establish a corporation for National and Community Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and for other purposes."

THE WHITE HOUSE

WASHINGTON

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AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide a substitute amendment.

IN THE SENATE OF THE UNITED STATES—103d Cong., 1st Sess.

S. 919

To amend		990
to amend	AMENDMENT No. 612	nce
opposed		onal
service	By <u>KASSEBAUM</u>	in
such	Bill/Res. No. <u>5-919</u>	
	<u>202 pages</u>	
Referred	_____	

GPO : 1992 90-142 (M)

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mrs. KASSEBAUM to the Committee
amendment

Viz: IN LIEU OF LANGUAGE PROPOSED,

1 ~~Strike all after the enacting clause and~~ insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “National Service and Community Volunteers Act of
6 1993”.

7 (b) TABLE OF CONTENTS.—The table of contents is
8 as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

TITLE I—NATIONAL SERVICE AND COMMUNITY VOLUNTEERS

Subtitle A—General Provisions

Sec. 101. Definitions.

Sec. 102. Authority to make State grants.

Subtitle B—Service-Learning Programs

Sec. 111. Programs.

Subtitle C—National Service Programs

Sec. 121. Federal investment in support of national service.

Sec. 122. Transition.

Subtitle D—Quality and Innovation

Sec. 131. Quality and innovation activities.

Subtitle E—Civilian Community Corps

Sec. 141. Civilian Community Corps.

Subtitle F—Administration

Sec. 151. Reports.

Sec. 152. Nondiscrimination.

Sec. 153. Notice, hearing, and grievance procedures.

Sec. 154. Nondisplacement.

Sec. 155. Evaluation.

Sec. 156. Contingent extension.

Sec. 157. Audits.

Sec. 158. Repeals.

Subtitle G—Organization

Sec. 161. State Commissions for National Service and Community Volunteers.

Sec. 162. Interim authorities of the Corporation for National Service and Community Volunteers and ACTION Agency.

Sec. 163. Final authorities of the Corporation for National Service and Community Volunteers.

Subtitle H—Other Activities

Sec. 171. Points of Light Foundation.

Subtitle I—Authorization of Appropriations

Sec. 181. Authorization.

Subtitle J—General Provisions

Sec. 191. Effective date.

TITLE II—OTHER SERVICE PROGRAMS

Sec. 201. Repeals of service programs.

Sec. 202. Transition.

- Sec. 203. Rules governing congressional consideration.
- Sec. 204. Authorization of appropriations.
- Sec. 205. Construction.

TITLE III—TECHNICAL AND CONFORMING AMENDMENTS.

- Sec. 301. Definitions.
- Sec. 302. References to the Commission on National and Community Service.
- Sec. 303. References to Directors of the Commission on National and Community Service.
- Sec. 304. Definition of Director.
- Sec. 305. References to ACTION and the ACTION Agency.
- Sec. 306. Effective date.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) IN GENERAL.—Section 2 of the National and
3 Community Service Act of 1990 (42 U.S.C. 12501) is
4 amended to read as follows:

5 **“SEC. 2. FINDINGS AND PURPOSE.**

6 “(a) FINDINGS.—The Congress finds the following:

7 “(1) Throughout the United States, there are
8 pressing unmet human, educational, environmental,
9 and public safety needs.

10 “(2) Americans desire to affirm common re-
11 sponsibilities and shared values that transcend race,
12 religion, or region.

13 “(3) Americans of all ages can improve their
14 communities and become better citizens through
15 service to the United States.

16 “(4) Nonprofit organizations, local govern-
17 ments, States, and the Federal Government are al-
18 ready supporting a wide variety of national service

1 programs that deliver needed services in a cost-effec-
2 tive manner.

3 “(5) Federal appropriations in fiscal year 1993
4 for full-time national service programs totaled
5 \$102,700,000.

6 “(b) PURPOSES.—It is the purpose of this Act to—

7 “(1) assist in meeting the unmet human, edu-
8 cational, environmental, and public safety needs of
9 the United States, without displacing existing work-
10 ers;

11 “(2) renew the ethic of civic responsibility and
12 the spirit of community throughout the United
13 States;

14 “(3) determine, through demonstration and ex-
15 perimentation, the most efficient means for imple-
16 menting educational or other incentives that are nec-
17 essary for a successful national service program;

18 “(4) encourage citizens of the United States,
19 regardless of race, religion, gender, age, disability,
20 region, income or education, to engage in full-time
21 or part-time national service;

22 “(5) reinvent government to eliminate duplica-
23 tion in national service and volunteer programs by
24 merging existing national service and volunteer pro-
25 grams and carrying out the programs through the

1 same administrative body, thereby diminishing bu-
2 reaucratic infrastructure while maximizing program
3 flexibility and effectiveness;

4 “(6) support locally established initiatives, re-
5 quire measurable goals for performance, and offer
6 flexibility in meeting those goals;

7 “(7) build on the existing organizational service
8 infrastructure of Federal, State, and local programs
9 and agencies to expand full-time and part-time serv-
10 ice opportunities for all citizens;

11 “(8) provide tangible benefits to the commu-
12 nities in which national service is performed; and

13 “(9) promote the integration of community vol-
14 unteer activities by introducing service-learning into
15 curricula in elementary schools, secondary schools,
16 and institutions of higher education.”.

17 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
18 tional and Community Service Act of 1990 (Public Law
19 101–610; 104 Stat. 3127) is amended by striking the item
20 relating to section 2 and inserting the following new item:

“Sec. 2. Findings and purpose.”.

1 **TITLE I—NATIONAL SERVICE**
2 **AND COMMUNITY VOLUNTEERS**
3 **Subtitle A—General Provisions**

4 **SEC. 101. DEFINITIONS.**

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

8 **“SEC. 101. DEFINITIONS.**

9 “For purposes of this title:

10 “(1) ADULT VOLUNTEER.—The term ‘adult
11 volunteer’ means an individual, such as an older
12 adult, an individual with a disability, a parent, or an
13 employee of a business or public or private not-for-
14 profit agency, who—

15 “(A) works without financial remuneration
16 in an educational institution to assist students
17 or out-of-school youth; and

18 “(B) is beyond the age of compulsory
19 school attendance in the State in which the edu-
20 cational institution is located.

21 “(2) CARRY OUT.—The term ‘carry out’, when
22 used in connection with a national service program
23 described in section 122, means the planning, estab-
24 lishment, operation, expansion, or replication of the
25 program.

1 “(3) COMMUNITY-BASED AGENCY.—The term
2 ‘community-based agency’ means a private not-for-
3 profit organization that is representative of a com-
4 munity or a significant segment of a community and
5 that is engaged in meeting human, educational, envi-
6 ronmental, or public safety community needs.

7 “(4) CORPORATION.—The term ‘Corporation’,
8 means the Corporation for National Service and
9 Community Volunteers established under section
10 191.

11 “(5) DIRECTOR.—The term ‘Director’ means
12 the Director of the Corporation appointed under sec-
13 tion 193.

14 “(6) ECONOMICALLY DISADVANTAGED.—The
15 term ‘economically disadvantaged’ means, with re-
16 spect to an individual, an individual who is deter-
17 mined by the Director to be low-income according to
18 the latest available data from the Department of
19 Commerce.

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

24 “(8) INDIAN.—The term ‘Indian’ means a per-
25 son who is a member of an Indian tribe.

1 “(9) INDIAN LANDS.—The term ‘Indian lands’
2 means any real property owned by an Indian tribe,
3 any real property held in trust by the United States
4 for an Indian or Indian tribe, and any real property
5 held by an Indian or Indian tribe that is subject to
6 restrictions on alienation imposed by the United
7 States.

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

18 “(11) INDIVIDUAL WITH A DISABILITY.—Ex-
19 cept as provided in section 175(a), the term ‘individ-
20 ual with a disability’ has the meaning given the term
21 in section 7(8) of the Rehabilitation Act of 1973 (29
22 U.S.C. 706(8)).

23 “(12) INSTITUTION OF HIGHER EDUCATION.—
24 The term ‘institution of higher education’ has the
25 same meaning given such term in section 1201(a) of

1 the Higher Education Act of 1965 (20 U.S.C.
2 1141(a)).

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

8 “(14) NATIONAL SERVICE LAWS.—The term
9 ‘national service laws’ means this Act and the Do-
10 mestic Volunteer Service Act of 1973 (42 U.S.C.
11 4950 et seq.).

12 “(15) NATIONAL SERVICE PROGRAM.—

13 “(A) IN GENERAL.—Except as provided in
14 subparagraph (B), the term ‘national service
15 program’ means a program or activity described
16 in—

17 “(i) subtitle C, D, or E;

18 “(ii) part A of title I of the Domestic
19 Volunteer Service Act of 1973 (42 U.S.C.
20 4951 et seq.);

21 “(iii) part B of title XI of the Higher
22 Education Act of 1965 (20 U.S.C. 1137 et
23 seq.); or

1 “(iv) Public Law 91-378 (16 U.S.C.
2 1701-1706; commonly known as the
3 ‘Youth Conservation Corps Act of 1970’).

4 “(B) LIMITATION.—As used in subtitle C,
5 such term means a program described in sec-
6 tion 122(a).

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

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

10 “(B) has not completed college or the
11 equivalent thereof; and

12 “(C) is not enrolled in an elementary or
13 secondary school or institution of higher edu-
14 cation.

15 “(17) PARTICIPANT.—

16 “(A) IN GENERAL.—The term ‘participant’
17 means an individual enrolled in a program that
18 receives assistance under this title.

19 “(B) RULE.—A participant shall not be
20 considered to be an employee of the program in
21 which the participant is enrolled.

22 “(18) PARTNERSHIP PROGRAM.—The term
23 ‘partnership program’ means a program through
24 which an adult volunteer, a public or private not-for-

1 profit agency, an institution of higher education, or
2 a business assists a local educational agency.

3 “(19) PROGRAM.—The term ‘program’, except
4 when used as part of the term ‘academic program’,
5 ‘national service program’, or ‘volunteer program’
6 means a program described in section 111(a),
7 119(b)(1), 122(a), or 145, in paragraph (1) or (2)
8 of section 152(b), or in title III.

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

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

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

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

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

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

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

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

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

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

14 “(iii) helps foster civic responsibility;

15 “(B) that is integrated into the academic
16 curriculum of the students, or the educational
17 components of the community service program
18 in which the participants are enrolled;

19 “(C) that provides students with opportu-
20 nities to use newly acquired skills and knowl-
21 edge in situations in their communities; and

22 “(D) that enhances the curriculum or edu-
23 cational components described in subparagraph
24 (B) by extending student learning beyond the
25 classroom and into the community and helps to

1 foster the development of a sense of caring for
2 others.

3 “(24) SERVICE-LEARNING COORDINATOR.—The
4 term ‘service-learning coordinator’ means an individ-
5 ual who provides services as described in section
6 111(a)(2).

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

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

18 “(27) STATE COMMISSION.—The term ‘State
19 Commission’ means a State Commission for Na-
20 tional Service and Community Volunteers main-
21 tained by a State pursuant to section 178. Except
22 when used in section 178, the term includes an al-
23 ternative administrative entity for a State approved
24 by the Corporation under such section to act in lieu
25 of a State Commission.

1 “(28) STUDENT.—The term ‘student’ means an
2 individual who is enrolled in an elementary or sec-
3 ondary school or institution of higher education on
4 a full- or part-time basis.

5 “(29) SUMMER PROGRAM.—The term ‘summer
6 program’ means a full-time or part-time program
7 authorized under this title that is limited to a period
8 beginning after April 30 and ending before October
9 1.

10 “(30) VOLUNTEER PROGRAM.—The term ‘vol-
11 unteer program’ means a program or activity de-
12 scribed in—

13 “(A) part I or II of subtitle B, or title III;
14 or

15 “(B) part B or C of title I, or part A, B,
16 or C, of title II, of the Domestic Volunteer
17 Service Act of 1973 (42 U.S.C. 4971 et seq.,
18 4991 et seq., 5001 et seq., 5011 et seq., and
19 5013 et seq.).”.

20 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

21 (1) Section 182(a)(2) of the National and Com-
22 munity Service Act of 1990 (42 U.S.C 12642(a)(2))
23 is amended by striking “adult volunteer and partner-
24 ship” each place the term appears and inserting
25 “partnership”.

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

5 (3) Section 441(c)(2) of the Higher Education
6 Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by
7 striking “service opportunities or youth corps as de-
8 fined in section 101 of the National and Community
9 Service Act of 1990, and service in the agencies, in-
10 stitutions and activities designated in section 124(a)
11 of the National and Community Service Act of
12 1990” and inserting “a project, as defined in section
13 101(20) of the National and Community Service Act
14 of 1990 (42 U.S.C. 12511(18))”.

15 (4) Section 1122(a)(2)(C) of the Higher Edu-
16 cation Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is
17 amended by striking “youth corps as defined in sec-
18 tion 101(30) of the National and Community Service
19 Act of 1990” and inserting “youth corps programs,
20 as described in section 122(a)(2) of the National
21 and Community Service Act of 1990”.

22 (5) Section 1201(p) of the Higher Education
23 Act of 1965 (20 U.S.C. 1141(p)) is amended by
24 striking “section 101(22)” and inserting “section
25 101(23)”.

1 **SEC. 102. AUTHORITY TO MAKE STATE GRANTS.**

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

4 **Subtitle B—Service-Learning**
5 **Programs**

6 **SEC. 111. PROGRAMS.**

7 (a) AMENDMENTS TO SERVE-AMERICA PROGRAMS.—

8 (1) PURPOSE.—The purpose of this subsection
9 is to improve the Serve-America programs estab-
10 lished under part I of subtitle B of the National and
11 Community Service Act of 1990, and to enable the
12 Corporation for National Service and Community
13 Volunteers, and the entities receiving financial as-
14 sistance under such part, to—

15 (A) work with teachers in elementary
16 schools and secondary schools within a commu-
17 nity, and with community-based agencies, to
18 create and offer service-learning opportunities
19 for school-age youth;

20 (B) educate teachers, and faculty providing
21 teacher training and retraining, about service-
22 learning, and incorporate service-learning op-
23 portunities into classroom teaching to strength-
24 en academic learning;

25 (C) coordinate the work of adult volunteers
26 who work with elementary and secondary

1 schools as part of their community service ac-
2 tivities; and

3 (D) work with employers in the commu-
4 nities to ensure that projects introduce the stu-
5 dents to various careers and expose the stu-
6 dents to needed further education and training.

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

12 **“Subtitle B—Service-Learning**
13 **Programs**

14 **“PART I—SERVE-AMERICA PROGRAMS**

15 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**
16 **TRIBES.**

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

23 “(1) planning and building the capacity of the
24 States or Indian tribes (which may be accomplished
25 through grants or contracts with qualified organiza-

1 tions) to implement school-based and community-
2 based service-learning programs, including—

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

9 “(B) developing service-learning curricula
10 to be integrated into academic programs, in-
11 cluding an age-appropriate learning component
12 for participants in the program that shall in-
13 clude a chance for participants to analyze and
14 apply their service experiences;

15 “(C) forming local partnerships described
16 in subsection (b) to develop school-based or
17 community-based service-learning programs in
18 accordance with this part;

19 “(D) devising appropriate methods for re-
20 search and evaluation of the educational value
21 of service-learning and the effect of service-
22 learning activities on participants and commu-
23 nities; and

24 “(E) establishing effective outreach and
25 dissemination of information to ensure the

1 broadest possible involvement of community-
2 based agencies with demonstrated effectiveness
3 in working with school-age youth in their com-
4 munities;

5 “(2) implementing, operating, or expanding
6 school-based and community-based service-learning
7 programs, which may include paying for the cost of
8 the recruitment, training, supervision, placement,
9 salaries, and benefits of service-learning coordinators
10 who shall—

11 “(A) assist in the design and implementa-
12 tion of such a program; and

13 “(B) identify the community partners re-
14 ferred to in subsection (b); and

15 “(3) implementing, operating, or expanding
16 school-based and community-based service-learning
17 programs that involve adult volunteers in service-
18 learning activities to improve the education of stu-
19 dents and school-age youth.

20 “(b) PARTNERSHIPS.—To support activities de-
21 scribed in paragraph (2) or (3) of subsection (a), a State
22 or Indian tribe shall distribute Federal funds made avail-
23 able under this part to local partnerships, who—

24 “(1) shall use the funds to carry out projects—

1 “(A) through school-based service-learning
2 programs for participants selected from among
3 students; or

4 “(B) through community-based service-
5 learning programs for participants selected
6 from among school-age youth; and

7 “(2) shall include—

8 “(A) in the case of school-based
9 programs—

10 “(i) local educational agencies; and

11 “(ii) one or more community partners
12 that—

13 “(I) shall include a public or pri-
14 vate not-for-profit organization; and

15 “(II) may include a private for-
16 profit business or private elementary
17 or secondary school; and

18 “(B) in the case of community-based
19 programs—

20 “(i) public or private not-for-profit or-
21 ganizations;

22 “(ii) local educational agencies; and

23 “(iii) one or more community part-
24 ners.

1 “(c) QUALIFIED ORGANIZATIONS.—To support ac-
2 tivities described in subsection (a)(1), a State or Indian
3 tribe shall distribute Federal funds made available under
4 this part to qualified organizations, who shall be—

5 “(1) local educational agencies;

6 “(2) community-based organizations that meet
7 the requirements of section 111B(a);

8 “(3) communities;

9 “(4) State agencies; or

10 “(5) partnerships described in subparagraph
11 (A) or (B) of subsection (b)(2).

12 “(d) RELATED EXPENSES.—A partnership or other
13 qualified organization that receives financial assistance
14 under this part may, in carrying out the activities de-
15 scribed in subsection (a), use such assistance to pay for
16 the Federal share of reasonable costs related to the super-
17 vision of participants, program administration, transpor-
18 tation, insurance, evaluations, and for other reasonable ex-
19 penses necessary to carry out the activities.

20 **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**
21 **NONPARTICIPATING STATES.**

22 “‘In any fiscal year in which a State does not submit
23 an application under section 113, for an allotment under
24 subsection (a) or (b)(2) of section 112, that meets the re-
25 quirements of section 113 and such other requirements

1 as the Director may determine to be appropriate, the Cor-
2 poration may use the allotment of that State to make a
3 direct grant—

4 “(1) to a qualified organization, to pay for the
5 Federal share of carrying out activities described in
6 section 111(a)(1) in that State; or

7 “(2) to a partnership described in section
8 111(b), to pay for the Federal share of carrying out
9 activities described in paragraph (2) or (3) of section
10 111(a) in that State.

11 **“SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
12 **NOT-FOR-PROFIT ORGANIZATIONS.**

13 “(a) IN GENERAL.—The Corporation may make a
14 grant under section 112(b)(1) to a public or private not-
15 for-profit organization that—

16 “(1) has experience with service-learning;

17 “(2) was in existence 1 year before the date on
18 which the organization submitted an application
19 under section 114(a); and

20 “(3) meets such other criteria as the Director
21 may establish.

22 “(b) USE OF FUNDS.—Such an organization may use
23 a grant made under subsection (a) to make a grant—

1 “(1) to a qualified organization, to pay for the
2 Federal share of carrying out activities described in
3 section 111(a)(1); or

4 “(2) to a partnership described in section
5 111(b), to pay for the Federal share of carrying out
6 activities described in paragraph (2) or (3) of section
7 111(a).

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

9 “(a) INDIAN TRIBES AND TERRITORIES.—

10 “(1) IN GENERAL.—Of the amounts appro-
11 priated to carry out this part for any fiscal year, the
12 Corporation shall reserve an amount of not more
13 than 1 percent for payments—

14 “(A) to Indian tribes, the Virgin Islands,
15 Guam, American Samoa, and the Common-
16 wealth of the Northern Mariana Islands, to be
17 allotted in accordance with their respective
18 needs; and

19 “(B) to Palau, in accordance with its
20 needs, until such time as the Compact of Free
21 Association with Palau is ratified.

22 “(2) NATIVE HAWAIIAN ENTITIES.—Of the
23 amounts appropriated to carry out this part for any
24 fiscal year, the Corporation shall reserve .2 percent
25 of such amounts for payments to Native Hawaiian

1 entities, to be allotted in accordance with their re-
2 spective needs. The requirements of this subtitle
3 shall apply to such an entity in the same manner,
4 and to the same extent, as such requirements apply
5 to an Indian tribe.

6 “(b) GRANTS AND ALLOTMENTS THROUGH
7 STATES.—The Corporation shall use the remainder of the
8 funds appropriated to carry out this part for any fiscal
9 year as follows:

10 “(1) GRANTS.—Except as provided in para-
11 graph (3), from 20 percent of such funds, the Cor-
12 poration may make grants, on a competitive basis,
13 to—

14 “(A) States and Indian tribes; or

15 “(B) public or private not-for-profit orga-
16 nizations as described in section 111B.

17 “(2) ALLOTMENTS.—

18 “(A) SCHOOL-AGE YOUTH.—Except as pro-
19 vided in paragraph (3), from 45 percent of such
20 funds, the Corporation shall allot to each State
21 an amount that bears the same ratio to 45 per-
22 cent of such funds as the number of school-age
23 youth in the State bears to the total number of
24 school-age youth of all States.

1 “(B) ALLOCATION UNDER ELEMENTARY
2 AND SECONDARY EDUCATION ACT OF 1965.—
3 Except as provided in paragraph (3), from 45
4 percent of such funds, the Corporation shall
5 allot to each State an amount that bears the
6 same ratio to 45 percent of such funds as the
7 allocation to the State for the previous fiscal
8 year under chapter 1 of title I of the Elemen-
9 tary and Secondary Education Act of 1965 (20
10 U.S.C. 2711 et seq.) bears to such allocations
11 to all States.

12 “(3) MINIMUM AMOUNT.—No State shall re-
13 ceive, under paragraph (2), an allotment that is less
14 than the allotment such State received for fiscal year
15 1993 under section 112(b) of this Act, as in effect
16 on the day before the date of enactment of this part.
17 If the amount of funds made available in a fiscal
18 year to carry out paragraph (2) is insufficient to
19 make such allotments, the Corporation shall make
20 available sums from the 10 percent described in
21 paragraph (1) for such fiscal year to make such
22 allotments.

23 “(4) DEFINITION.—Notwithstanding section
24 101(26), for purposes of this subsection, the term
25 ‘State’ means each of the several States, the District

1 of Columbia, the Commonwealth of Puerto Rico, and
2 an Indian tribe.

3 “(c) REALLOTMENT.—If the Corporation determines
4 that the allotment of a State or Indian tribe under this
5 section will not be required for a fiscal year because the
6 State or Indian tribe does not submit an application for
7 the allotment under section 113 that meets the require-
8 ments of such section and such other requirements as the
9 Director may determine to be appropriate, the Corpora-
10 tion shall, after making any grants under section 111A,
11 make any remainder of such allotment available for real-
12 lotment to such other States, and Indian tribes, with ap-
13 proved applications submitted under section 113, as the
14 Corporation may determine to be appropriate.

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

21 “(e) PROGRAMS.—In awarding grants and making al-
22 lotments under subsections (a), (b), and (d), from the sum
23 appropriated to carry out this part for a fiscal year, the
24 Corporation shall make available—

1 “(1) 75 percent of such sum for school-based
2 programs; and

3 “(2) 25 percent of such sum for community-
4 based programs.

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

6 “(a) SUBMISSION.—To be eligible to receive a grant
7 under section 112(b)(1), an allotment under subsection
8 (a) or (b)(2) of section 112, a reallocation under section
9 112(c), or a grant under section 112(d), a State (acting
10 through the State Commission) or an Indian tribe, shall
11 prepare, submit to the Corporation, and obtain approval
12 of, an application at such time and in such manner as
13 the Director may reasonably require.

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

17 “(1) information demonstrating that the pro-
18 grams will be carried out in a manner consistent
19 with the strategic plan submitted for the State in-
20 volved under section 178;

21 “(2) assurances that—

22 “(A) the applicant will keep such records
23 and provide such information to the Corpora-
24 tion with respect to the programs as may be re-

1 quired for fiscal audits and program evaluation;
2 and

3 “(B) the applicant will comply with the
4 nonduplication and nondisplacement require-
5 ments of section 177; and

6 “(3) such additional information as the Direc-
7 tor may reasonably require.

8 **“SEC. 114. LOCAL APPLICATIONS.**

9 “(a) APPLICATION TO CORPORATION TO MAKE
10 GRANTS FOR SCHOOL-BASED OR COMMUNITY-BASED
11 SERVICE-LEARNING PROGRAMS.—

12 “(1) IN GENERAL.—To be eligible to receive a
13 grant under section 112(b)(1) in accordance with
14 section 111B(a) to make grants relating to school-
15 based or community-based service-learning programs
16 described in section 111(a), a grantmaking entity
17 shall prepare, submit to the Corporation, and obtain
18 approval of, an application.

19 “(2) SUBMISSION.—Such application shall be
20 submitted at such time and in such manner, and
21 shall contain such information, as the Director may
22 reasonably require. Such an application may include
23 a proposal to assist such programs in more than 1
24 State.

1 “(b) DIRECT APPLICATION TO CORPORATION TO
2 CARRY OUT SCHOOL-BASED OR COMMUNITY-BASED
3 SERVICE-LEARNING PROGRAMS IN NONPARTICIPATING
4 STATES.—To be eligible to receive a grant from the Cor-
5 poration in the circumstances described in section 111A
6 to carry out an activity described in such section, an orga-
7 nization or partnership referred to in such section shall
8 prepare, submit to the Corporation, and obtain approval
9 of, an application. Such application shall be submitted at
10 such time and in such manner, and shall contain such in-
11 formation, as the Director may reasonably require.

12 “(c) APPLICATION TO STATE OR INDIAN TRIBE TO
13 RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED OR
14 COMMUNITY-BASED SERVICE-LEARNING PROGRAMS.—

15 “(1) IN GENERAL.—A qualified organization or
16 partnership that desires to receive financial assist-
17 ance under this part from a State Commission, In-
18 dian tribe, or grantmaking entity, for activities de-
19 scribed in section 111(a), shall prepare, submit to
20 the State Commission, tribe, or entity, and obtain
21 approval of, an application.

22 “(2) SUBMISSION.—Such application shall be
23 submitted at such time and in such manner, and
24 shall contain such information, as the State Com-
25 mission, tribe, or entity may reasonably require.

1 “(d) CONTENTS OF APPLICATION.—

2 “(1) REGULATIONS.—The Corporation shall by
3 regulation establish standards for the information
4 required to be contained in an application submitted
5 under subsection (a) or (b).

6 “(2) ASSURANCES.—At a minimum, an applica-
7 tion submitted under subsection (a) or (b) shall
8 contain—

9 “(A) an assurance that the applicant will
10 develop an age-appropriate learning component
11 for participants in the program that shall in-
12 clude a chance for participants to analyze and
13 apply their service experiences;

14 “(B) an assurance that the applicant will
15 comply with the nonduplication and
16 nondisplacement requirements of section 177
17 and grievance procedure requirements of section
18 176(f); and

19 “(C) such other assurances as the Director
20 may reasonably require.

21 “(e) LIMITATION ON SAME PROJECT IN MULTIPLE
22 APPLICATIONS.—No applicant shall submit an application
23 under section 113 or this section, and the Corporation
24 shall reject an application that is submitted under section
25 113 or this section, if the application describes a project

1 proposed to be conducted using assistance requested by
2 the applicant and the project is already described in an-
3 other application pending before the Corporation.

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

5 “(a) CRITERIA FOR APPLICATIONS.—In approving
6 applications for financial assistance under subsection (a),
7 (b), (c), or (d) of section 112, the Corporation shall con-
8 sider such criteria with respect to sustainability,
9 replicability, innovation, and quality of programs under
10 this part as the Director may by regulation specify. In
11 providing assistance under this part, a State Commission,
12 Indian tribe, or grantmaking entity shall also consider
13 such criteria.

14 “(b) PRIORITY FOR APPLICATIONS.—

15 “(1) IN GENERAL.—In providing assistance
16 under this part, a State Commission or Indian tribe,
17 or the Corporation if section 111A or 111B applies,
18 shall give priority to entities that submit applica-
19 tions under section 114 with respect to service-learn-
20 ing programs described in section 111 that—

21 “(A) involve participants in the design and
22 operation of the program;

23 “(B) are in the greatest need of assistance,
24 such as programs targeting low-income areas;
25 or

1 “(C) involve—

2 “(i) students from public elementary
3 or secondary schools, and students from
4 private elementary or secondary schools,
5 serving together; or

6 “(ii) students of different ages, races,
7 sexes, ethnic groups, disabilities, or eco-
8 nomic backgrounds, serving together.

9 “(c) REGULATIONS.—The Corporation shall by regu-
10 lation establish procedures and criteria (in addition to the
11 criteria described in subsections (a) and (b)) for awarding
12 grants in the circumstances described in sections 111A
13 and 111B.

14 “(d) REJECTION OF APPLICATIONS.—If the Corpora-
15 tion rejects an application submitted under section 113
16 for an allotment under subsection (b)(2) of section 112,
17 the Corporation shall promptly notify the applicant of the
18 reasons for the rejection of the application. The Corpora-
19 tion shall provide the applicant with a reasonable oppor-
20 tunity to revise and resubmit the application and shall pro-
21 vide technical assistance, if needed, to the applicant as
22 part of the resubmission process. The Corporation shall
23 promptly reconsider such resubmitted application.

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

3 “(a) IN GENERAL.—To the extent consistent with the
4 number of students in the State or Indian tribe or in the
5 school district of the local educational agency involved who
6 are enrolled in private not-for-profit elementary and sec-
7 ondary schools, such State, Indian tribe, or agency shall
8 consult with appropriate private school representatives
9 and make provision—

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

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

21 “(b) WAIVER.—If a State, Indian tribe, or local edu-
22 cational agency is prohibited by law from providing for
23 the participation of students or teachers from private not-
24 for-profit schools as required by subsection (a), or if the
25 Corporation determines that a State, Indian tribe, or local
26 educational agency substantially fails or is unwilling to

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

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

10 “(a) SHARE.—

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

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

18 “(B) 80 percent of the total cost of the
19 program for the second such year;

20 “(C) 70 percent of the total cost of the
21 program for the third such year; and

22 “(D) 50 percent of the total cost of the
23 program for the fourth such year, and for any
24 subsequent such year.

1 “(2) REMAINING SHARE.—In providing for the
2 remaining share of the cost of carrying out such a
3 program, each recipient of assistance under this
4 part—

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

8 “(B) may provide for such share through
9 State sources, local sources, or Federal sources
10 (other than funds made available under the na-
11 tional service laws).

12 “(3) CALCULATION.—In calculating the cost of
13 carrying out such a program, the recipient shall not
14 include the costs of salaries and benefits of individ-
15 uals who are participants or volunteers in any na-
16 tional service program or any volunteer program,
17 other than a program under this part.

18 “(b) WAIVER.—The Director may waive the require-
19 ments of subsection (a) in whole or in part with respect
20 to any such program in any fiscal year if the Corporation
21 determines that such a waiver would be equitable due to
22 a demonstrated lack of available financial resources at the
23 local level.

24 “(c) DEFINITION.—Notwithstanding section 101, as
25 used in this section, the term ‘national service laws’ means

1 the provisions specified in section 201(a) of the National
2 Service and Community Volunteers Act of 1993.

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

4 “(a) ADMINISTRATIVE COSTS.—

5 “(1) LIMITATION.—Not more than 5 percent of
6 the amount of assistance provided to a State Com-
7 mission, Indian tribe, or grantmaking entity that is
8 the original recipient of a grant or allotment under
9 subsection (a), (b), (c), or (d) of section 112 for a
10 fiscal year may be used to pay for administrative
11 costs incurred by—

12 “(A) the original recipient; or

13 “(B) the entity carrying out the service-
14 learning programs supported with the assist-
15 ance.

16 “(2) RULES ON USE.—The Director may by
17 rule prescribe the manner and extent to which—

18 “(A) such assistance may be used to cover
19 administrative costs; and

20 “(B) that portion of the assistance avail-
21 able to cover administrative costs should be dis-
22 tributed between—

23 “(i) the original recipient; and

1 “(ii) the entity carrying out the serv-
2 ice-learning programs supported with the
3 assistance.

4 “(b) CAPACITY-BUILDING ACTIVITIES.—Not less
5 than 10 percent and not more than 20 percent of the
6 amount of assistance provided to a State Commission, In-
7 dian tribe, or grantmaking entity that is the original recip-
8 ient of a grant or allotment under subsection (a), (b), (c),
9 or (d) of section 112 for a fiscal year shall be used to
10 build capacity through training, technical assistance, cur-
11 riculum development, and coordination activities, de-
12 scribed in section 111(a)(1).

13 “(c) FINANCIAL SUPPORT TO STUDENTS.—Funds
14 made available under this part may not be used to pay
15 any stipend, allowance, or other financial support to any
16 student who is a participant under this part, except reim-
17 bursement for transportation, meals, and other reasonable
18 out-of-pocket expenses directly related to participation in
19 a program assisted under this part.

20 “(d) PROHIBITION ON PAYMENTS FOR SALARIES
21 AND BENEFITS.—No partnership or qualified organiza-
22 tion may use funds made available under this subtitle to
23 pay for the costs of salaries and benefits of individuals
24 who are participants or volunteers in any national service

1 program or any volunteer program, other than a program
2 under this part.

3 **“SEC. 116B. DEFINITIONS.**

4 “As used in this part:

5 “(1) COMMUNITY-BASED SERVICE-LEARNING
6 PROGRAM.—The term ‘community-based service-
7 learning program’ means a service-learning program
8 sponsored by a partnership that includes the entities
9 described in section 111(b)(2)(B).

10 “(2) GRANTMAKING ENTITY.—The term
11 ‘grantmaking entity’ means an organization de-
12 scribed in section 111B(a).

13 “(3) QUALIFIED ORGANIZATION.—The term
14 ‘qualified organization’ means an entity described in
15 any of paragraphs (1) through (5) of section 111(c).

16 “(4) SCHOOL-BASED SERVICE-LEARNING PRO-
17 GRAM.—The term ‘school-based service-learning pro-
18 gram’ means a service-learning program sponsored
19 by a partnership that includes the entities described
20 in section 111(b)(2)(A).

21 “(5) STUDENT.—Notwithstanding section
22 101(28), the term ‘student’ means an individual who
23 is enrolled in an elementary or secondary school on
24 a full- or part-time basis.”.

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

5 **“PART II—HIGHER EDUCATION INNOVATIVE**
6 **PROGRAMS FOR COMMUNITY SERVICE**
7 **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**
8 **FOR COMMUNITY SERVICE.**

9 “(a) PURPOSE.—It is the purpose of this part to ex-
10 pand participation in community service by supporting in-
11 novative community service programs that enable institu-
12 tions of higher education to act as civic institutions in
13 meeting the human, educational, environmental, or public
14 safety needs of neighboring communities.

15 “(b) GENERAL AUTHORITY.—The Corporation, in
16 consultation with the Secretary of Education, is author-
17 ized to make grants to, and enter into contracts with, in-
18 stitutions of higher education (including a combination of
19 such institutions), and partnerships comprised of such in-
20 stitutions and of other public agencies or not-for-profit
21 private organizations, to pay for the Federal share of the
22 cost of—

23 “(1) enabling such an institution or partnership
24 to create or expand an organized community service
25 program that—

1 “(A) engenders a sense of social respon-
2 sibility and commitment to the community in
3 which the institution is located; and

4 “(B) provides projects for participants,
5 who shall be students, faculty, administration,
6 or staff of the institution, or residents of the
7 community;

8 “(2) supporting student-initiated and student-
9 designed community service projects through the
10 program;

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

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

22 “(5) strengthening the service infrastructure
23 within institutions of higher education in the United
24 States through the program; and

1 “(6) providing for the training of teachers, pro-
2 spective teachers, related education personnel, and
3 community leaders in the skills necessary to develop,
4 supervise, and organize service-learning.

5 “(c) FEDERAL SHARE.—

6 “(1) SHARE.—

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

11 “(B) CALCULATION.—Each recipient of as-
12 sistance under this part shall comply with para-
13 graphs (2) and (3) of section 116(a).

14 “(2) WAIVER.—The Director may waive the re-
15 quirements of paragraph (1), in whole or in part, as
16 provided in section 116(b).

17 “(d) APPLICATION FOR GRANT.—

18 “(1) SUBMISSION.—To receive a grant or enter
19 into a contract under this part, an institution or
20 partnership described in subsection (b) shall pre-
21 pare, submit to the Corporation, and obtain approval
22 of, an application at such time and in such manner
23 as the Director may reasonably require.

24 “(2) CONTENTS.—

1 “(A) REGULATIONS.—The Corporation
2 shall by regulation establish standards for the
3 information required to be contained in an ap-
4 plication submitted under paragraph (1).

5 “(B) ASSURANCES.—At a minimum, such
6 an application shall contain—

7 “(i) an assurance that the entity car-
8 rying out the program will develop an age-
9 appropriate learning component for partici-
10 pants in the program that shall include a
11 chance for participants to analyze and
12 apply their service experiences;

13 “(ii) an assurance that students and
14 community members including service re-
15 cipients shall be involved in the design and
16 implementation of the program;

17 “(iii) an assurance that the program
18 is consistent with the approved strategic
19 plan submitted under section 178 by the
20 State in which the program will be imple-
21 mented;

22 “(iv) an assurance that the applicant
23 will comply with the nonduplication and
24 nondisplacement provisions of section 177

1 and grievance procedure requirements of
2 section 176(f); and

3 “(v) such other assurances as the Di-
4 rector may reasonably require.

5 “(e) DEFINITION.—Notwithstanding section
6 101(28), as used in this part, the term ‘student’ means
7 an individual who is enrolled in an institution of higher
8 education on a full- or part-time basis.

9 **“PART III—GENERAL PROVISIONS**

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

11 “Of the aggregate amount appropriated to carry out
12 this subtitle for each fiscal year—

13 “(1) a sum equal to 80 percent of such aggre-
14 gate amount shall be available to carry out part I;
15 and

16 “(2) a sum equal to 20 percent of such aggre-
17 gate amount shall be available to carry out part II.”.

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

“Subtitle B—Service-Learning Programs

“PART I—SERVE-AMERICA PROGRAMS

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

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

“Sec. 111B. Authority to assist public or private not-for-profit organizations.

“Sec. 112. Grants and allotments.

- “Sec. 113. State or tribal applications.
- “Sec. 114. Local applications.
- “Sec. 115. Consideration of applications.
- “Sec. 115A. Participation of students and teachers from private schools.
- “Sec. 116. Federal, State, and local contributions.
- “Sec. 116A. Limitations on uses of funds.
- “Sec. 116B. Definitions.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY
SERVICE

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

“PART III—GENERAL PROVISIONS

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

1 **Subtitle C—National Service**
2 **Programs**

3 **SEC. 121. FEDERAL INVESTMENT IN SUPPORT OF NA-**
4 **TIONAL SERVICE.**

5 (a) ASSISTANCE PROGRAM AUTHORIZED.—Subtitle
6 C of title I of the National and Community Service Act
7 of 1990 (42 U.S.C. 12541 et seq.) is amended to read
8 as follows:

9 **“Subtitle C—National Service**
10 **Program**

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

12 **“SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE.**

13 “(a) PROVISION OF ASSISTANCE.—The Corporation
14 may make grants to States, subdivisions of States, Indian
15 tribes, public and private not-for-profit organizations, and
16 institutions of higher education for the purpose of assist-
17 ing the recipients of the grants—

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

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

7 “(b) AGREEMENTS WITH FEDERAL AGENCIES.—

8 “(1) IN GENERAL.—The Corporation may enter
9 into a contract or cooperative agreement with an-
10 other Federal agency to support a national service
11 program carried out by the agency. The support pro-
12 vided by the Corporation pursuant to the contract or
13 cooperative agreement may include the transfer to
14 the Federal agency of funds available to the Cor-
15 poration.

16 “(2) NONDUPLICATION.—A Federal agency
17 that enters into a contract or cooperative agreement
18 under paragraph (1) to support a national service
19 program within a State—

20 “(A) shall consult with the State Commis-
21 sion serving the State to avoid duplication with
22 any service program that is in existence in the
23 State as of the date of the contract or coopera-
24 tive agreement; and

1 “(B) shall, in an appropriate case, enter
2 into a contract or cooperative agreement with
3 an entity that is carrying out a service program
4 described in subparagraph (A) that is of high
5 quality, in order to support the national service
6 program.

7 “(3) APPLICATION OF REQUIREMENTS.—A
8 Federal agency receiving assistance under this sub-
9 section shall comply with the Federal share require-
10 ments of section 129(c)(2)(B). The supplementation
11 requirements specified in section 173 shall apply
12 with respect to the Federal National Service pro-
13 grams supported with such assistance.

14 “(c) LIMITATION ON ADMINISTRATIVE COSTS.—

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

20 “(A) the original recipient; or

21 “(B) the entity carrying out the national
22 service programs supported with the assistance.

23 “(2) RULES ON USE.—The Director may by
24 rule prescribe the manner and extent to which—

1 “(A) such assistance may be used to cover
2 administrative costs; and

3 “(B) that portion of the assistance avail-
4 able to cover administrative costs should be dis-
5 tributed between—

6 “(i) the original recipient; and

7 “(ii) the entity carrying out the na-
8 tional service programs supported with the
9 assistance.

10 “(d) MATCHING FUNDS REQUIREMENTS.—

11 “(1) REQUIREMENTS.—Except as provided in
12 section 129(c)(2)(B), the Federal share of the cost
13 of carrying out a national service program that re-
14 ceives the assistance under subsection (a), whether
15 the assistance is provided directly or as a subgrant
16 from the original recipient of the assistance, may not
17 exceed 75 percent of such cost.

18 “(2) CALCULATION.—In providing for the re-
19 maining share of the cost of carrying out a national
20 service program, a recipient of assistance under this
21 subtitle—

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

1 “(B) may provide for such share through
2 State sources, local sources, or other Federal
3 sources (other than the use of funds made
4 available under the national service laws, in-
5 cluding subtitles B, E, and H of title I, and
6 title III, of the National and Community Serv-
7 ice Act of 1990 (42 U.S.C. 12521 et seq.,
8 12591 et seq., 12653 et seq., and 12661 et
9 seq.), part B of title XI of the Higher Edu-
10 cation Act of 1965 (20 U.S.C. 1137 et seq.),
11 parts A and B of title I, section 124, and title
12 II, of the Domestic Volunteer Service Act of
13 1973. (42 U.S.C. 4951 et seq., 4971 et seq.,
14 4994, and 5000 et seq.), and Public Law 91-
15 378 (16 U.S.C. 1701-1706; commonly known
16 as the “Youth Conservation Corps Act of
17 1970’’)).

18 “(3) WAIVER.—The Corporation may waive in
19 whole or in part the requirements of paragraph (1)
20 with respect to a national service program in any fis-
21 cal year if the Corporation determines that such a
22 waiver would be equitable due to a demonstrated
23 lack of available financial resources at the local level.

1 **“SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGI-**
2 **BLE FOR PROGRAM ASSISTANCE.**

3 “(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—

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

13 “(1) A community corps program that promotes
14 greater community unity through the use of orga-
15 nized teams of participants of varied social and eco-
16 nomic backgrounds, skill levels, physical capabilities,
17 ages, ethnic backgrounds, or genders.

18 “(2) A full-time youth corps program carried
19 out during the summer months or throughout the
20 full calendar year, such as a conservation corps or
21 youth service corps (including a conservation corps
22 or youth service corps that performs service on Fed-
23 eral or other public lands or on Indian lands),
24 that—

25 “(A) undertakes meaningful full-time serv-
26 ice projects with visible benefits to a commu-

1 nity, including natural resource, urban renova-
2 tion, or human services projects;

3 “(B) includes as participants youth and
4 young adults between the ages of 16 and 25, in-
5 clusive, including out-of-school youth and other
6 economically disadvantaged youth, and individ-
7 uals with disabilities, who are between those
8 ages; and

9 “(C) provides those participants who are
10 youth and young adults with—

11 “(i) crew-based, highly structured,
12 and adult-supervised work experience, life
13 skills, education, career guidance and
14 counseling, employment training, and sup-
15 port services; and

16 “(ii) the opportunity to develop citi-
17 zenship values and skills through service to
18 their community and the United States.

19 “(3) A program that provides specialized train-
20 ing to individuals in service-learning and places the
21 individuals after such training in positions, including
22 positions as service-learning coordinators, to facili-
23 tate service-learning in programs eligible for funding
24 under part I subtitle B.

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

4 “(A) recruits individuals with special skills
5 or provides specialized preservice training to en-
6 able participants to be placed individually or in
7 teams in positions in which the participants can
8 meet such unmet needs; and

9 “(B) brings participants together for addi-
10 tional training and other activities designed to
11 foster civic responsibility, increase the skills of
12 participants, and improve the quality of the
13 service provided.

14 “(5) An individualized placement program that
15 includes regular group activities, such as leadership
16 training and special service projects.

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

21 “(A) students who are attending an insti-
22 tution of higher education, including students
23 supported by work-study funds under part C of
24 title IV of the Higher Education Act of 1965
25 (42 U.S.C. 2751 et seq.);

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

2 “(C) teams composed of a combination of
3 such students and community residents.

4 “(7) A preprofessional training program in
5 which students enrolled in an institution of higher
6 education—

7 “(A) receive training in specified fields,
8 which may include classes containing service-
9 learning;

10 “(B) perform service related to such train-
11 ing outside the classroom during the school
12 term and during summer or other vacation peri-
13 ods; and

14 “(C) agree to provide at least 1 year of
15 service upon graduation to meet unmet human,
16 educational, environmental, or public safety
17 needs related to such training.

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

20 “(A) as police officers, early childhood de-
21 velopment staff, social workers, or other profes-
22 sionals providing service to meet educational,
23 human, environmental, or public safety needs in
24 communities with an inadequate number of
25 such professionals;

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

5 “(C) that are sponsored by public or pri-
6 vate not-for-profit employers who agree to pay
7 100 percent of the salaries and benefits (other
8 than any national service benefit under section
9 123 and the post-service benefits under section
10 146) of the participants.

11 “(9) A program in which economically dis-
12 advantaged individuals who are between the ages of
13 16 and 24 years of age, inclusive, are provided with
14 opportunities to perform service that, while enabling
15 such individuals to obtain the education and employ-
16 ment skills necessary to achieve economic self-suffi-
17 ciency, will help their communities meet—

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

20 “(B) the need for community facilities in
21 low-income areas.

22 “(10) A national service entrepreneur program
23 that identifies, recruits, and trains gifted young
24 adults of all backgrounds and assists such adults in
25 designing solutions to community problems.

1 “(11) An intergenerational program that com-
2 bines students, out-of-school youth, and older adults
3 as participants to provide needed community serv-
4 ices, including an intergenerational component of a
5 national service program described in paragraphs (1)
6 through (10), paragraph (12) or paragraph (13).

7 “(12) A program utilizing public school facili-
8 ties, after regular school hours and during weekends
9 and summers, to provide children in distressed com-
10 munities with curriculum-based, supervised edu-
11 cational, recreational and cultural activities in safe
12 and secure environments and to coordinate the deliv-
13 ery of social services to the children of the commu-
14 nity.

15 “(13) A program to help communities adversely
16 affected by the closure or realignment of a military
17 installation, by converting the military installation,
18 in whole or in part, to community use.

19 “(14) Such other national service programs ad-
20 dressing unmet human, educational, environmental,
21 or public safety needs consistent with the strategic
22 plan of the State Commission, if funded through the
23 Commission, or consistent with the Corporation’s
24 strategic plan, if funded directly by the Corporation.

1 “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-
2 GIBILITY.—

3 “(1) ESTABLISHMENT BY CORPORATION.—The
4 Corporation shall establish qualification criteria for
5 different types of national service programs for the
6 purpose of determining whether a particular national
7 service program should be considered to be a na-
8 tional service program eligible to receive assistance
9 under this subtitle.

10 “(2) CONSULTATION.—In establishing qualifica-
11 tion criteria under paragraph (1), the Corporation
12 shall consult with organizations and individuals that
13 have extensive experience in developing and admin-
14 istering effective national service programs.

15 “(3) APPLICATION TO SUBGRANTS.—The quali-
16 fication criteria established by the Corporation under
17 paragraph (1) shall also be used by each recipient of
18 assistance under section 121(a) that uses any por-
19 tion of the assistance to conduct a grant program to
20 support other national service programs.

21 “(4) WAIVER.—With respect to a proposed na-
22 tional service program that does not meet the quali-
23 fication criteria established under paragraph (1), the
24 Corporation may waive such criteria with respect to

1 such program if the Corporation determines that
2 such program is uniquely innovative in nature.

3 “(c) NATIONAL SERVICE PRIORITIES FOR THE COR-
4 PORATION.—

5 “(1) ESTABLISHMENT BY CORPORATION.—In
6 order to concentrate national efforts on meeting cer-
7 tain unmet human, educational, environmental, or
8 public safety needs and to otherwise achieve the pur-
9 poses of this Act, the Corporation shall establish and
10 periodically alter priorities regarding the types of na-
11 tional service programs to be assisted under section
12 129(c) and the purposes for which such assistance
13 may be used.

14 “(2) NOTICE TO APPLICANTS.—The Corpora-
15 tion shall provide advance notice to potential appli-
16 cants for assistance under 129(c) of any national
17 service priorities to be in effect under this subsection
18 for a fiscal year. The notice shall specifically
19 include—

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

22 “(B) a description of the national service
23 programs that are designated by the Corpora-
24 tion under section 133(d)(2) as eligible for pri-

1 ority consideration in the next competitive dis-
2 tribution of assistance under section 129(c).

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

6 “(4) APPLICATION TO SUBGRANTS.—National
7 service priorities established by the Corporation
8 under this subsection shall be used by a recipient of
9 funds under section 129(c) if that recipient uses any
10 portion of such funds to conduct a grant program to
11 support other national service programs.

12 “(5) ENCOURAGEMENT OF
13 INTERGENERATIONAL COMPONENTS OF PRO-
14 GRAMS.—The Corporation shall encourage national
15 service programs eligible to receive assistance under
16 this subtitle to establish, if consistent with the pur-
17 poses of the program, an intergenerational compo-
18 nent of the program that combines students, out-of-
19 school youth, and older adults as participants.

20 “(d) STATE NATIONAL SERVICE POSITIONS.—

21 “(1) ESTABLISHMENT BY STATE COMMIS-
22 SIONS.—In order to concentrate national and State
23 efforts on meeting certain unmet human, edu-
24 cational, environmental, or public safety needs at the
25 State and local level and to otherwise achieve the

1 purposes of this Act, State Commissions shall estab-
2 lish and, through the 3-year strategic plan process
3 described in section 178, periodically alter priorities
4 regarding the types of national service programs to
5 be assisted under section 129(a) and the purposes
6 for which such assistance may be used.

7 “(2) NOTICE TO APPLICANTS.—The State Com-
8 mission shall provide advance notice, to potential ap-
9 plicants to the State Commission for assistance re-
10 ceived by the State Commission under section
11 129(a), of any national service priorities to be in ef-
12 fect under this paragraph for a fiscal year. The no-
13 tice shall specifically include a description of any al-
14 teration made in the priorities since the previous no-
15 tice.

16 **“SEC. 123. DEMONSTRATION EFFORTS CONCERNING EDU-**
17 **CATIONAL OR OTHER POST-SERVICE BENE-**
18 **FITS.**

19 “(a) ESTABLISHMENT.—The Corporation shall estab-
20 lish demonstration programs to determine the most effec-
21 tive and efficient means for implementing educational or
22 other incentives necessary for a successful national service
23 program.

24 “(b) TREATMENT OF PARTICIPANTS.—Participants
25 in demonstration programs under subsection (a) shall be

1 treated in the same manner as if such participants were
2 participants in national service programs funded under
3 this subtitle, except that such participants shall not be eli-
4 gible for post-service benefits under section 141.

5 “(c) REPORT.—Not later than 18 months after the
6 date of enactment of this subtitle, the Corporation shall
7 prepare and submit to the appropriate committees of Con-
8 gress a report concerning the results of the demonstration
9 programs established under subsection (a), and a descrip-
10 tion of the knowledge derived from existing national serv-
11 ice-related programs conducted by Federal or State gov-
12 ernments, including recommendations for legislative ac-
13 tion.

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

15 “(a) PLANNING ASSISTANCE.—The Corporation may
16 provide assistance under section 121 to a qualified appli-
17 cant that submits an application under section 130 for the
18 planning of a national service program. Assistance pro-
19 vided in accordance with this subsection may cover a pe-
20 riod of not more than 9 months.

21 “(b) OPERATIONAL ASSISTANCE.—The Corporation
22 may provide assistance under section 121 to a qualified
23 applicant that submits an application under section 130
24 for the establishment, operation, or expansion of a na-
25 tional service program. Assistance provided in accordance

1 with this subsection may cover a period of not more than
2 3 years, but may be renewed by the Corporation upon con-
3 sideration of a new application under section 130.

4 “(c) REPLICATION ASSISTANCE.—The Corporation
5 may provide assistance under section 121 to a qualified
6 applicant that submits an application under section 130
7 for the expansion of a proven national service program to
8 another geographical location. Assistance provided in ac-
9 cordance with this subsection may cover a period of not
10 more than 3 years, but may be renewed by the Corpora-
11 tion upon consideration of a new application under section
12 130.

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

18 **“SEC. 125. OTHER SPECIAL ASSISTANCE.**

19 “(a) SUPPORT FOR STATE COMMISSIONS.—

20 “(1) ASSISTANCE AUTHORIZED.—The Corpora-
21 tion shall make assistance available to assist a State
22 to establish or operate the State Commission re-
23 quired to be established by the State under section
24 178.

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

6 “(A) 75 percent of the total cost to estab-
7 lish or operate the State Commission for the
8 first year for which the State Commission re-
9 ceives assistance under this subsection; and

10 “(B) such smaller percentage of such cost
11 as the Corporation may establish for the sec-
12 ond, third, and fourth years of such assistance
13 in order to ensure that the Federal share does
14 not exceed 50 percent of such costs for the fifth
15 year, and any subsequent year, for which the
16 State Commission receives assistance under this
17 subsection.

18 “(b) DISASTER SERVICE.—The Corporation may un-
19 dertake activities, including activities carried out under
20 part A of title I of the Domestic Volunteer Service Act
21 of 1973, to involve programs that receive assistance under
22 the national service laws in disaster relief efforts.

23 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
24 PROGRAMS.—

1 “(1) IN GENERAL.—The Corporation may
2 award challenge grants under this subsection to na-
3 tional service programs that receive assistance under
4 section 121.

5 “(2) CRITERIA.—The Corporation shall develop
6 criteria for the selection of recipients of challenge
7 grants under paragraph (1), so as to make the
8 grants widely available to a variety of programs
9 that—

10 “(A) are high-quality national service pro-
11 grams; and

12 “(B) are carried out by entities with dem-
13 onstrated experience in establishing and imple-
14 menting projects that provide benefits to par-
15 ticipants and communities.

16 “(3) AMOUNT OF ASSISTANCE.—A challenge
17 grant under this subsection may provide not more
18 than \$1 of assistance under this subsection for each
19 \$1 in cash raised by the national service program
20 from private sources in excess of amounts required
21 to be provided by the program to satisfy matching
22 funds requirements under section 121(e). The Cor-
23 poration shall establish a ceiling on the amount of
24 assistance that may be provided to a national service
25 program under this subsection.