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SIDE-BY-SIDE OF S. 919 AND KASSEBAUM SUBSTITUTE NATIONAL SERVICE BILLS

S. 919 (KENNEDY)

Section 1. Short Title. National and Community Service Trust Act of 1993.

Section 2. Findings and Purpose. One of the purposes of this Act is to expand educational opportunities for individuals who participate in national service by rewarding them with financial assistance to pursue higher education or job training.

Title I-Programs and Related Provisions.

Subtitle A-Programs.

Section 101. Federal Investment in Support of National Service. (Subtitle C: National Service Trust Program.)

General Authorities. The Corporation is given the authority to make grants to states, Indian tribes, public and private non-profit organizations and institutions of higher education for the purpose of carrying out national service programs.

The Corporation must approve the number of eligible national service educational awards and deposit money in the National Service Trust for that purpose.

Limitation on Administrative Costs. Not more than 5% of the amount of assistance provided to grant recipients and entities carrying out national service programs may be used to pay for administrative costs.

Matching Fund Requirements. The Federal share of the cost of carrying out a national service program shall not exceed 75% of such cost.

KASSEBAUM SUBSTITUTE

Section 1. Short Title. National Service and Community Volunteers Act of 1993.

Section 2. Findings and Purpose. One of the purposes of this Act is to determine, through demonstration and experimentation, the most efficient means for implementing educational or other incentives that are necessary for a successful national service program.

Title I-National Service and Community Volunteers.

Subtitle C-National Service Programs.

Section 121. Federal Investment in Support of National Service. (Subtitle C: National Service Program.)

General Authorities. Same.

No corresponding provision.

Limitation on Administrative Costs. Same.

Matching Fund Requirements. Same.

Types of Eligible National Service Programs. Includes community corps; full-time youth corps; training and placement in service-learning; service program that recruits individuals with special skills; individualized placement; campus-based; preprofessional training; professional corps (including teachers, nurses, police officers and early childhood development staff); program for economically disadvantaged youth that helps provide communities with low-income housing; national service entrepreneur program; intergenerational; "Communities in Action program" (including providing safe locations for after-school activities); such other programs the Corporation may designate.

Eligibility Criteria. The Corporation shall establish qualification criteria for determining eligible national service programs.

No corresponding provision.

Where consistent with program purposes, the Corporation shall encourage adding an intergenerational component combining students, out-of-school youth and older adults.

National Service Priorities. The Corporation, after consultation with the State Commission, may establish and periodically alter priorities regarding the types of national service programs to be funded and shall provide to applicants advance notice of those priorities.

No corresponding provision.

Types of Eligible National Service Programs. Substantially similar.

Eligibility Criteria. Same.

The Corporation may waive the qualification criteria for programs uniquely innovative in nature.

Same provision, but appears as (5) under national service priorities.

National Service Priorities. The Corporation shall establish, through its 5-year strategic plan, and periodically alter priorities regarding the types of national service programs to be funded and shall provide to applicants advance notice of those priorities.

The national priorities are applicable only to the portion of funds distributed by the Corporation on a competitive basis. The state formula grant funds shall use state-established priorities.

Types of National Service Positions Eligible for Educational Awards. Includes national service programs funded under this subtitle; any other program that meets the criteria established by the Corporation; VISTA volunteers; Civilian Conservation Corps members; crew leaders in a youth corps program.

No corresponding provision.

Types of Program Assistance. Includes planning assistance for a period of up to 1 year; operational assistance for a period of up to 3 years (renewable); replication assistance for a period of up to 3 years.

Training and Technical Assistance. The Corporation may conduct training to improve the quality of national service programs. The Corporation shall provide, where necessary, technical assistance to entities to develop programs or apply for grants.

Other Special Assistance. The Corporation may provide assistance to a State to establish or operate its State Commission. Such assistance may not exceed 85% of the total cost for the Commission for the first year; and such smaller percentages in subsequent years, not to exceed 50% for the fifth year.

The Corporation may award \$1-for-\$1 challenge grants to national service programs.

No corresponding provision.

Demonstration Efforts Concerning Educational or other Post-Service Benefits. Funds are authorized by the Corporation to conduct demonstration programs to determine the most reasonable level of post-service stipends necessary for a successful national service program and the most efficient method for providing those benefits. The Corporation will report back to Congress after 18 months with the findings of the demonstrations and recommendations for legislative action.

Types of Program Assistance. Includes planning assistance for a period of up to 9 months; operational assistance for a period of up to 3 years (renewable); replication assistance for a period of up to 3 years.

(See Subtitle D.)

Other Special Assistance. Same, except that assistance may not exceed 75% of the total cost for the Commission for the first year.

Same.

Provision of Assistance and Approved National Service Positions by Competitive and Other Means. 33 1/3% of federal funds for national service programs shall be allocated to the States based on population.

There is a 1% set-aside for Indian tribes, the Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands.

No corresponding provision.

Individuals serving as VISTA volunteers or participants in the Civilian Community Corps Demo Program shall receive the educational award described in Subtitle D.

The Corporation may not reserve more than \$10 million per year for challenge grants.

Competitive Distribution of Remaining Funds and Approved Positions. 33 1/3% of federal funds for national service programs shall be allocated to the States on a competitive basis.

33 1/3% of federal funds for national service programs shall be allocated to local communities, Indian tribes, public and private not-for-profit organizations, educational institutions, and federal agencies on a competitive basis.

Federal agencies must contribute 50% to the cost of carrying out a national service program.

Not more than 30% of funds available to federal agencies and other applicants on a competitive basis may be used by federal agencies.

In distributing the remaining 1/3 of funds, the Corporation shall give priority to private not-for-profit organizations over State applicants.

The Corporation may enter into agreements with persons or entities to sponsor national service positions.

Provision of Assistance by Competitive and Other Means. 50% of federal funds for national service programs shall be allocated to the States based on population.

Same.

There is a .2% set-aside for Native Hawaiian entities.

No corresponding provision.

The Corporation may not reserve more than \$10 million, or 1% of funds appropriated for national service programs, whichever is less, for challenge grants.

Competitive Distribution of Remaining Funds. 30% of federal funds for national service programs shall be allocated to the States on a competitive basis.

20% of federal funds for national service programs shall be allocated to these groups on a competitive basis.

Same.

Same.

No corresponding provision.

No corresponding provision.

Application for Assistance and Approved National Service Positions. To be eligible for assistance, an application must be submitted to the Corporation. S. 919 lists over 14 different types of information that the Corporation may require to be provided in such application.

Application to Receive Only Approved National Service Positions. The Corporation shall establish special application requirements for cases where the applicant requests educational awards only for service positions which are not part of a national service program funded under this Act.

Special Rule for State Applicants. The State Commission must guarantee that not less than 60% of the funds available will be used for national service programs other than those carried out by a State agency.

Limitation on Same Project in Multiple Applications. The Corporation shall reject an application which duplicates a pending application.

National Service Program Assistance Requirements. An application shall contain an assurance that the national service program will provide participants with (1) the training and skills necessary to perform the work; (2) support services to advance their educational goals; and (3) structured opportunities to reflect upon their service experiences.

Any national service program will provide for broad-based input from the community served, participants, community-based agencies, labor organizations representing employees doing similar work, and coordination with the State Commission.

Application for Assistance. To be eligible for assistance, an application must be submitted to the Corporation. The Corporation shall determine the contents of such applications, including a requirement that the program be carried out in a manner which is consistent with the State's strategic plan.

No corresponding provision.

Special Rule for State Applicants. The State Commission must guarantee that not less than 70% of the funds available will be used for national service programs other than those carried out by a State agency.

Limitation on Same Project in Multiple Applications. Same.

National Service Program Assistance Requirements. Assurances (1) and (2) are the same. Assurance (3) provides that participants who are receiving government assistance shall be placed in positions which provide education, career training and job specific skills necessary for gainful employment.

Substantially similar.

Evaluation and Performance Goals. The applicant will arrange for an independent evaluation or, with the Corporation's approval, an internal evaluation of the program, and will develop measurable performance goals and evaluation methods.

Selection of Participants from Individuals Recruited by Corporation or State Commissions. The Corporation may require that any or all national service grantees select a portion of program participants from individuals recruited by the Corporation or State Commissions.

The Corporation may specify a minimum percentage of participants to be selected from the national leadership pool.

Ineligible Service Categories. National service participants may not perform service for (1) for-profit businesses, (2) labor unions, (3) partisan political organizations; or (4) religious organizations.

Consideration of Applications. No corresponding provision.

The Corporation shall apply several criteria in evaluating applications for national service programs, including (1) the quality, innovativeness and sustainability of the program, (2) the extent to which projects recruit individuals from the community and are conducted in areas of greatest need, (3) the extent to which projects are geographically diverse, and (4) such other criteria.

Evaluation and Performance Goals. Same, except that no allowance is made for an applicant to conduct an internal evaluation of the program.

Selection of Participants from Individuals Recruited by Corporation or State Commission. Same only for grantees awarded funds by the Corporation under its discretionary grant program.

No corresponding provision.

Ineligible Service Categories. Same, but a fifth category includes organizations whose primary purpose is to influence public policy or is engaged in legislative advocacy activities.

Consideration of Applications. The application of a State or other entity for a competitive planning grant shall contain a description of (1) the jobs or positions into which participants will be placed, including descriptions of specific tasks to be performed, and (2) the minimum qualifications which individuals must meet in order to participate.

Substantially similar.

Priorities. The Corporation may designate certain national service programs for priority consideration in the competitive distribution of funds, including those designated in this subsection.

Review Panel. The President shall establish panels of experts to secure recommendations on applications for more than \$100,000 in assistance.

Emphasis on Areas Most in Need. Not less than 50% of the funds distributed to States shall be used to carry out national service programs in areas most in need.

Rejection of State Applications. If the Corporation rejects an application, it shall promptly notify the State Commission and give it a reasonable opportunity to revise and resubmit its application.

Description of National Service Participants. Individuals participating in a national service program: (1) shall meet the eligibility requirements for the program; (2) serve for the term specified; (3) have a high school diploma or equivalent or agree to obtain same; (4) be 17 years of age or older; (5) be a United States citizen.

Selection of National Service Participants. The actual recruitment and selection of participants shall be conducted by the program administrators. The Corporation shall establish a recruitment system and shall disseminate information regarding approved national service positions through secondary schools, institutions of higher education, employment service offices, etc.

National Leadership Pool. From among those individuals recruited above, the Corporation may select those with significant leadership potential to receive special leadership training. The Corporation shall make special efforts to select individuals who have served in the Peace Corps, as VISTA volunteers or Civilian Community Corps members for this special leadership training.

Priorities. The Corporation may designate certain national service programs for priority consideration in the competitive distribution of funds.

Review Panel. The Director shall establish panels of experts and practitioners to secure recommendations on applications for more than \$100,000 in assistance.

No corresponding provision.

Rejection of State Applications. Same.

Description of National Service Participants. Substantially similar.

Selection of National Service Participants. The actual recruitment and selection of participants shall be conducted by the program administrators. The Corporation may establish a recruitment system and shall, along with the State Commissions, widely disseminate information regarding available national service opportunities.

No corresponding provision.

Terms of Service. A full-time participant shall serve not less than 1700 hours over a one-year period. A part-time participant shall serve not less than 1700 hours over a two-year period (may be extended to 3 years if enrolled in an institution of higher education).

Release from Completing Term of Service. A participant may be released from completing a term of service for compelling personal reasons or for cause. The released participant may receive only that portion of the educational award which corresponds to the quantity of the term of service completed. A participant released for cause may not receive any portion of the award.

Living Allowances for Participants. The federal share of the living allowance provided to each participant shall not exceed the lesser of (a) 85% of the total average annual subsistence allowance provided to VISTA volunteers and (b) 85% of the annual living allowance established by the national service program. The total amount shall not exceed 200% of the average annual subsistence allowance provided to VISTA volunteers.

No corresponding provision.

Professional Corps. A national service program using professional corps members cannot use assistance provided under this Act to pay any portion of that corps member's living allowance if it is in excess of the maximum allowance authorized under this subsection.

Terms of Service. Same.

Release from Completing Term of Service. Same, except post-service benefit is substituted where reference is made to the national service educational award.

Living Allowances for Participants. The federal share of the living allowance provided to each participant shall not exceed the lesser of (a) 85% of the prevailing minimum wage and (b) 85% of the annual living allowance established by the national service program. The total amount shall not exceed 150% of the prevailing minimum wage.

Choice Between Benefits. Individuals receiving government assistance at the time of enrollment shall choose between receiving the living allowance under this subsection (which shall be taken into account in determining continued eligibility for such assistance) and other benefits provided to national service participants or a cash allowance of \$250 per month (full-time)/\$125 per month (part-time), which shall not be taken into account in determining need or eligibility for other government assistance.

Professional Corps. The Corporation shall develop regulations regarding the placement of professional corps members in national service programs which are consistent with those applicable to allocation procedures of professional corps programs determined by the Corporation to be similar (such as the Teacher Corps, the Public Health Service Corps, etc.)

Health and Child Care Benefits. Each full-time participant shall receive basic health care benefits, if not otherwise covered by a health care policy. The federal share shall not exceed 85% of the cost of the premium.

Child care assistance shall be available for each full-time participant in a national service program.

National Service Educational Awards. Participants in approved national service positions shall be eligible for the national service educational award (described in subtitle D). VISTA volunteers shall not be eligible for the educational award if they accept the stipend authorized under the Domestic Volunteer Service Act.

No corresponding provision.

No corresponding provision.

Section 102. National Service Trust and Provision of National Service Educational Awards. (Subtitle D.)

There is established in the United States Treasury a National Service Trust. Amounts in the Trust shall be available for payments of national service educational awards, in the amount of \$5,000 for each year of service (not to exceed 2 years). Educational awards must be used within 5 years of completing service. Awards may be used to repay outstanding student loans; to pay current educational expenses at an institution of higher education; to pay expenses incurred in participating in an approved school-to-work program; or to pay interest expenses incurred during forbearance in loan repayment.

Health and Child Care Benefits. Same.

Limited to participants who need child care in order to participate in a national service program.

No corresponding provision.

Post-Service Stipends. Participants in national service will receive educational stipends of \$1500 for each year of full-time service and \$750 for each year of part-time service. The educational stipend can be used to pay off educational loans or to pay for additional educational activities only. States or program sponsors can equally match that benefit with funds from non-federal sources.

Section 122. Transition. During the 2-year transition, existing programs will continue to provide current levels of post-service stipends; however, such stipends will be limited to educational purposes only.

No corresponding provision.

Section 103. School-Based and Community-Based Service-Learning Programs. (Subtitle B.) Part I--Serve-America Programs. Subpart A: School-Based Programs for Students. (Note: S. 919 separates school-based from community-based programs.)

Authority to Assist States and Indian Tribes. The Corporation, in consultation with the Secretary of Education, may make formula and discretionary grants to States (through State educational agencies) for planning and implementing service-learning programs.

Includes paying the cost of recruiting, training and placing service-learning coordinators who are national service participants.

Duties of Service-Learning Coordinators. Provides the duties of service-learning coordinators with respect to local educational agencies.

Authority to Assist Local Applicants in Nonparticipating States. The Corporation may make direct grants to local applicants for carrying out service-learning activities in nonparticipating states.

Authority to Assist Public or Private Not-For-Profit Organizations. The Corporation may make planning and implementing grants to public or private non-profit organizations that (1) have experience with service-learning; (2) were in existence one year before submitting an application for funds; and (3) meet such other criteria.

Grants and Allotments. There is a 1% set-aside for Indian tribes, the Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands.

No corresponding provision.

Subtitle B-Service-Learning Programs.
Section 111. Programs. (Subtitle B: Service-Learning Programs.) Part I--Serve-America Programs.
(Note: The Kassebaum substitute combines both school-based and community-based programs.)

Authority to Assist States and Indian Tribes. Same provision, except that the State Commissions will be responsible for distributing the funds, as opposed to state educational agencies.

No corresponding provision.

No corresponding provision.

Authority to Assist Local Applicants in Nonparticipating States. Substantially similar.

Authority to Assist Public or Private Not-For-Profit Organizations. Substantially similar.

Grants and Allotments. Same.

There is a .2% set-aside for Native Hawaiian entities.

Grants and Allotments Through States. 25% of federal funds for service-learning programs will be distributed to the States on a competitive basis.

75% of Corporation funds for service-learning programs will be distributed to the States. The state allocations are determined using the following formula: 50% of the state formula funds are distributed based on the number of school-aged youth in the states; 50% are distributed based on the amount of funds allocated to the state the previous fiscal year under Chapter 1 of Title I of the Elementary and Secondary Schools Act.

Reallotment. The Corporation may reallocate funds under this section that are not used by a State.

Exception. If less than \$20 million is appropriated for service-learning programs, the Corporation shall distribute such funds to the States on a competitive basis.

(See Part III.)

State or Tribal Applications. The contents of a state or tribal application for funds shall include a 3-year strategic plan for promoting service-learning through the programs, and such other information as the President may require, including those suggested under this subsection.

Local Applications. Local entities in nonparticipating states must submit an application to the Corporation for direct grants.

Grants and Allotments Through States. 20% of federal funds for service-learning programs will be distributed to the States on a competitive basis.

80% of Corporation funds for service-learning programs will be distributed to the States. The allocation formula for state funds is the same.

Reallotment. Same.

Exception. Same.

Programs. 75% of funds will be distributed for school-based programs and 25% for community-based programs.

State or Tribal Applications. Substantially similar, in that a state or tribal application must demonstrate that the programs will be carried out in a manner consistent with the state's 3-year strategic plan, but no other recommendations for specific information are made in this subsection.

Local Applications. Same, with the additional requirement that such applications may include a proposal to assist programs in more than 1 state.

Local Applications to States or Indian Tribes. Application procedures for state grants to local communities are prescribed under this section.

Consideration of Applications. The Corporation, state educational agency, Indian tribe, or grantmaking entity shall consider such criteria/priorities with respect to sustainability, replicability, innovation and quality of programs as are specified by Corporation regulations.

Rejection of Applications. If the Corporation rejects an application, it shall promptly notify the applicant and give it a reasonable opportunity to revise and resubmit its application.

Participation of Students and Teachers From Private Schools. Services and training for students and teachers in private schools shall be provided.

Federal, State and Local Contributions. The Federal share of the cost of carrying out a service-learning program shall not exceed (1) 90% for the first year; (2) 80% for the second year; (3) 70% for the third year; (4) 50% for the fourth year and any subsequent year.

No corresponding provision.

Local Applications to States or Indian Tribes. Instead of prescribing the specific content of local applications, the Corporation shall by regulation establish standards for the information to be required. At a minimum, the application shall contain assurances that the applicant (1) will develop an age-appropriate learning component for participants and (2) will comply with the nonduplication and nondisplacement requirements of this Act.

Consideration of Applications. Same, except substitute State Commission for state educational agency.

Rejection of Applications. Same.

Participation of Students and Teachers From Private Schools. Same.

Federal, State and Local Contributions. Same.

Calculation. In calculating the cost of carrying out a program under this section, the recipient shall not include the costs of salaries and benefits of participants in any national service program.

Limitations on Uses of Funds. Not more than 5% of the amount of assistance provided to grant recipients may be used for administrative costs. The President shall determine the portion of assistance to be distributed between the original recipient and the entity carrying out the service-learning programs.

Capacity-Building Activities. Not less than 10% and not more than 15% of assistance shall be used for capacity-building activities.

Waiver. The President may waive the limitation in order to permit grantees to use up to 25% of assistance for capacity-building activities.

These funds may not be used to pay any stipend, allowance, or other financial support to any student participant, except reimbursement for transportation, meals, or other reasonable out-of-pocket expenses.

No corresponding provision.

Subpart B: Community-Based Service-Learning Programs for School-Age Youth. Similar requirements as outlined for school-based programs above.

Subpart C: Clearinghouse. The Corporation shall provide funds to public and private not-for-profit agencies to carry out informational activities with respect to service-learning.

Limitations on Uses of Funds. Same, except the Corporation shall establish acceptable categories of administrative costs.

Capacity-Building Activities. Not less than 10% and more than 20% of assistance shall be used for capacity-building activities.

No corresponding provision.

Same.

No partnership or qualified organization may use these funds to pay for the costs of salaries and benefits of participants in any national service program.

No corresponding provision. (Note: school-based and community-based service-learning programs are combined under Part I above.)

(See Subtitle D.)

Part II-Higher Education Innovative Programs for Community Service. The Corporation, in consultation with the Secretary of Education, may make grants to institutions of higher education for programs which (1) create or expand organized community service programs, (2) support student-initiated community service projects, (3) provide academic credit for participation in community service activities, (4) supplement funds available for work-study programs, etc.

Federal Share. The Federal share of the cost of carrying out a community service program under this section may not exceed 50%.

Application for Grant. Application procedures and priorities for consideration are prescribed under this section.

National Service Educational Award. A participant in a program funded under this part shall be eligible for the national service educational award.

Part III-General Provisions. Of funds appropriated under this subtitle, 75% will be available for Serve-America programs (85% for school-based programs and 15% for community-based programs). The remaining 25% will be available for Higher Educational Innovative Programs.

Section 104. Quality and Innovation Activities. (Subtitle H: Investment for Quality and Innovation.)
Additional Corporation Activities to Support National Service. The Corporation may undertake activities to improve the quality of national service programs and to support innovative and model programs, including providing training and technical assistance.

The Corporation may provide training to Peace Corps and VISTA volunteers.

Part II-Higher Education Innovative Programs for Community Service. Substantially similar.

Federal Share. Same.

Application for Grant. Instead of prescribing the specific content of applications, the Corporation shall by regulation establish standards for the information to be required, with the additional requirement that certain minimum assurances be given.

No corresponding provision.

Part III-General Provisions. Of funds appropriated under this subtitle, 80% will be available for Serve-America programs (75% for school-based programs and 25% for community-based programs). The remaining 20% will be available for Higher Educational Innovative Programs.

Section 131. Quality and Innovation Activities. (Subtitle D: Investment for Quality and Innovation.)
Additional Corporation Activities to Support National Service and Volunteer Programs. The provisions for training and technical assistance are substantially similar.

No corresponding provision.

Promotion and Recruitment. The Corporation may conduct a campaign to solicit funds for the National Service Trust and to promote national service programs.

National Program Identity. The Corporation may arrange for uniforms and insignia to promote unity and shared features among programs.

National Youth Service Day. April 19, 1994 and April 18, 1995 are designated as "National Youth Service Day." The Corporation may make grants to not-for-profit organizations to support these activities.

Clearinghouses. The Corporation shall establish one or more clearinghouses to provide various forms of assistance.

Presidential Awards For Service. The President of the United States may make awards for service to outstanding individuals or national service programs, regardless of whether they receive assistance under this Act.

No corresponding provision.

Military Installation Conversion Demonstration Programs. The Corporation may make grants to communities and community-based agencies to assist in converting military installations to community use.

Civilian Community Corps. Subtitle E of the National and Community Service Act is repealed and Subtitle H is redesignated as Subtitle E. Extension of authority to conduct Civilian Community Corps Demonstration Program under the National Defense Authorization Act of 1993 is provided for 1993-94.

No corresponding provision.

No corresponding provision.

No corresponding provision.

Clearinghouses. Instead of separate clearinghouses for service-learning, national service and volunteer programs, the authorization is combined.

No corresponding provision.

Section 171. Points of Light Foundation. The Points of Light Foundation is amended to make awards to outstanding individuals or national service programs.

Included as a type of national service program eligible for program assistance under Subtitle C. (See Section 121.)

Section 141. Civilian Community Corps. (Subtitle E.) Subtitle E of the National and Community Service Act is repealed and Subtitle H is redesignated as Subtitle E.

Subtitle B-Related Provisions.

Section 111. Definitions.

Section 112. Authority to Make State Grants. Repealed.

Section 113. Family and Medical Leave. Provides that participants in national service programs will be considered employees of service sponsors for purposes of the Family and Medical Leave Act of 1993.

Section 114. Reports.

Section 115. Nondiscrimination.

Section 116. Notice, Hearing, and Grievance Procedures. Same, with the exception that the President can appoint an arbitrator if the parties cannot agree jointly on one.

Cost. If a participant or labor organization prevails under a binding arbitration proceeding, the State, local agency or other service sponsor shall pay the total cost, including attorney's fees.

Remedies. Same, except for additional remedy of providing such equitable relief as is necessary to make the displaced employee whole.

Section 117. Nondisplacement.

Section 118. Evaluation.

Subtitle A-General Provisions.

Section 101. Definitions.

Section 102. Authority to Make State Grants. Repealed.

No corresponding provision.

Subtitle F-Administration.

Section 151. Reports. Substantially similar.

Section 152. Nondiscrimination. Substantially similar.

Section 153. Notice, Hearing, and Grievance Procedures.

Cost. The cost of arbitration is divided evenly between the parties.

Remedies.

Section 154. Nondisplacement. Same.

Section 155. Evaluation.

Section 119. Engagement of Participants. Amends Section 180 of the National and Community Service Act to strike references to "post-service benefits" and replace with "national service educational awards."

Section 120. Contingent Extension.

Section 121. Audits.

Section 122. Repeals.

Title II-Organization.

Section 201. State Commission on National and Community Service. A State shall maintain a State Commission on National and Community Service, of not less than 7 nor more than 25 voting members. States are permitted to designate an alternative administrative entity to serve as the State Commission, as long as the composition and membership requirements of this section are met.

Composition and Membership. The State Commission shall include at least one representative from each of several categories described in this section, including a representative of the Corporation, who shall be a voting member.

Ex Officio State Representatives. The Corporation employee responsible for volunteer services in the State shall be an ex officio nonvoting member of the State Commission.

Duties of a State Commission. The duties of a State Commission are prescribed under this section.

No corresponding provision.

Section 156. Contingent Extension. Same.

Section 157. Audits. Same.

Section 158. Repeals.

Subtitle G-Organization.

Section 161. State Commissions for National Service and Community Volunteers. A state shall maintain a State Commission for National Service and Community Volunteers, of not less than 7 nor more than 21 voting members. States are permitted to designate a new or existing entity to serve as the State Commission and to determine the appropriate composition for the Commission, with the approval of the Corporation.

Composition and Membership. A concise list of recommended candidates for membership on the Commission is provided, but not mandated.

Ex Officio State Representatives. States may appoint ex officio nonvoting members to the State Commission.

Duties of a State Commission. Similar, except does not include assisting in the preparation of applications of a state educational agency or for the approval of national service positions.

Rejection. The Corporation may reject a State Commission if the composition, membership or duties do not comply with the requirements of this section, but the Corporation shall reject an alternative administrative entity if these requirements are not met.

No corresponding provision.

Section 202. Interim Authorities of the Corporation for National and Community Service and Action Agency.
(Subtitle G: Corporation for National and Community Service.) There is established a Corporation for National and Community Service.

Board of Directors. The Corporation is governed by a 15-member board of directors. The President of the Corporation, who acts as the chief executive officer for the Corporation, is an ex officio member of the Board.

The members of the Board are appointed by the President, with the advice and consent of the Senate, to serve in rotating 3-year terms.

The Chairman of the Board is elected by the members of the Corporation.

The Board is responsible for overseeing the operations of the Corporation and providing direction in the development of Corporation policies, procedures, and regulations.

President. The Corporation shall be headed by an individual who shall serve as President of the Corporation, appointed by the President of the United States with the advice and consent of the Senate.

Rejection. The Corporation may reject a State Commission or alternative administrative entity if the composition, membership or duties do not comply with the requirements of this section.

Review and Approval of Strategic Plans. The Corporation shall review and approve strategic plans submitted by State Commissions or alternative administrative entities.

Section 162. Interim Authorities of the Corporation for National and Community Service and Action Agency. There is established a Corporation for National Service and Community Volunteers.

Board of Directors. The Corporation is governed by a 9-member board of directors. The Director of the Corporation, who acts as the chief executive officer for the Corporation is an ex officio member of the Board.

The members of the Board are nominated by the President (5 members) and Congress (4 members) to serve in rotating 3-year terms.

Same.

Same.

Director. The Corporation shall be headed by an individual who shall serve as Director of the Corporation, appointed by the President with the advice and consent of the Senate. The Director cannot serve as the Chairman of the Board of Directors.

The President is responsible for the day-to-day operations of the Corporation, including setting policies, procedures, and regulations.

Officers. There will be 2 managing directors within the Corporation, one responsible for Federally operated programs and the other responsible for investment programs.

Inspector General. The Inspector General will be appointed by the President of the United States, with the advice and consent of the Senate.

Chief Financial Officer. There will be a Chief Financial Officer, reporting directly to the President.

Employees, Consultants, and Other Personnel. The Corporation will establish a merit-based competitive selection system based on job requirements and applicant qualifications. Employees who transfer or separate after 3 years will be eligible for appointment in the competitive service.

Service for one year or more will be treated as a period of service for personnel seeking employment in the competitive service.

Corporation Representative In Each State. The Corporation shall designate one of its employees to serve as a representative in each state and as a voting member of that State Commission.

Advisory Committees. The President may establish advisory committees to advise the Board on national service issues.

Administration. The Corporation may solicit and accept voluntary services and donations.

Same.

Management. After receiving and reviewing the recommendations of the Board, the Director shall devise a management structure for the Corporation, appointing such personnel as are necessary to carry out the responsibilities of the Corporation.

Inspector General. There shall be an Office of the Inspector General, appointed by the Director.

No corresponding provision.

Employees, Consultants, and Other Personnel. Same.

No corresponding provision.

No corresponding provision.

No corresponding provision.

Administration. The Corporation may accept only, not solicit, services and donations.

No corresponding provision.

Transfer of Functions of Commission on National and Community Service. The functions of the Commission on National and Community Service are transferred to the Corporation on October 1, 1993. The Board of the Commission will continue to serve until such time as the Board of the Corporation is formed.

Job search assistance will be provided for any personnel from ACTION or the Commission who do not become employees of the Corporation.

Section 203. Final Authorities of the Corporation For National and Community Service. During a transitional period of between 12 and 18 months after the date of enactment, the Corporation, together with the Office of Management and Budget, will organize an orderly transfer of certain functions from ACTION to the Corporation.

Relationship with State Plans and Other Requirements. The Director shall ensure that all national service and volunteer programs receiving assistance under this Act will be carried out in accordance with the State's strategic plan and the applicable national and state priorities.

Transfer of Functions of Commission on National and Community Service. Same.

Same, with the addition of any affected employees of the Departments of Agriculture, Interior or Education.

Section 163. Final Authorities of the Corporation for National Service and Community Volunteers. Same.

Title III-Reauthorization.

Subtitle A: National and Community Service Act of 1990.

This Act amends the National and Community Service Act of 1990 as follows:

Authorization of Appropriations, Section 301.

National Service-(new) \$ 434,000,000 for FY '94, and such sums as may be necessary for each of the fiscal years 1995 through 1998. Note: The estimates for FY '95-FY '98 do not provide for the growth of any program.

The National Service appropriation includes:

-School-Based and Community-Based Service-Learning Programs (Section 103.)

-National Service Trust Program (Section 101.)

-Quality and Innovation Activities (Section 104.)

-National Service Educational Awards (Section 102.)

Note: Authorization for appropriation of administrative costs are "such sums as may be necessary for each of the fiscal years 1994 through 1998."

Points of Light Foundation-\$5 million for each of the fiscal years 1994 through 1998.

Subtitle I: Authorization of Appropriations.
Authorization.

National and Community Service (new)

Appropriations for FY '94 and '95 in millions of dollars

	<u>FY '94</u>	<u>FY '95</u>
Service-Learning.....	\$ 30.6	30.6
National Service - Includes:		
Training and Technical Assistance	10	10
Post Service Benefit Demonstrations	10	20
Support for State Commissions	6	8
Administration and Organization	5	9
Formula and Discretionary Grants	67.9	136
 Points of Light Foundation	 5	 5

Subtitle B: Domestic Volunteer Service Act of 1973.

Section 311 through Section 332 inclusive.

This Act amends and reauthorizes the Domestic Service Act of 1973. Some notable additions include:

Support For VISTA Volunteers. The current VISTA stipend is \$95 per month. After October 1, 1994, the stipend shall be set at \$125 per month. The VISTA Director may provide a stipend of \$200 per month to volunteers who have been designated "volunteer leaders."

Child Care. The VISTA Director shall: provide child care for the children of each volunteer enrolled under this part, or provide a child care allowance to each volunteer who needs child care in order to participate.

Chapter 2- National Senior Volunteer Corps. Section 341 through Section 352.

This Act amends and reauthorizes the Older Americans Act of 1965 and the Older Americans Amendments of 1975.

Chapter 3- Administration. Section 361 through Section 372.

Center for Research and Training. The Director may establish, directly or by grant or contract, a Center for Research and Training on Volunteerism.

Title II- Other Service Programs.

Repeals of Service Programs, Section 201 through Section 205.

Title III- Technical and Conforming Amendments, Section 301 through Section 306.

After a two year transition period, this Act will merge the following national service and community volunteer programs into a broader, more comprehensive structure:
National Service-Conservation and Youth Service Corps

National service Demonstration Projects
VISTA/VISTA Literacy Corps
Civilian Community Corps

Volunteer Programs-Serve America

Higher Education Innovative Programs
Student Community Service
ACTION Drug Alliance
Retired/Senior Volunteer Program
Foster Grandparent Program
Senior Companion Program
Student Literacy Corps
Youth Conservation Corps
Points of Light Foundation
Innovative Projects-Community Service

Programs not currently administered by federal departments will be transferred to the Corporation on October 1, 1993. Programs currently administered by federal departments will be required to coordinate their efforts with the Corporation during the two year transition period.

The funding authorization and administration of each of these programs will be transformed into a unified national service program and a consolidated community volunteer program. The community volunteer program will include 3 broad categories of funding--service learning, senior volunteer, and federal volunteer programs. This Act dismantles the current ACTION Agency structure and transfers primary responsibility for administering community volunteer programs in each state to the State Commissions. The activities and tasks currently

performed by each of the merged programs (national service and volunteer) can continue to be performed under the new structure.

Chapter 4- Authorization of Appropriations and Other Amendments. Section 381 through Section

National Volunteer Antipoverty Programs.

(in millions of dollars)

	<u>'94</u>	<u>FY '95-FY '98</u>
VISTA	\$ 45.8	"such sums"*
Summer Program	"such sums".....	
VISTA Literacy Corps	\$ 5.6	"such sums"
University Year for VISTA	"such sums".....	
Special Volunteer Programs	"such sums".....	
Literacy Challenge Grants	"such sums".....	

National Senior Volunteer Corps.

	<u>FY '94</u>	<u>FY '95-FY '98</u>
Retired\Senior Volunteers	\$ 37	"such sums"
Foster Grandparent Program	\$ 71.2	"such sums"
Senior Companion program	\$ 32.5	"such sums"
Demonstration Programs	"such sums".....	

* "such sums as may be necessary for each fiscal year."

National Volunteer Antipoverty Programs.

	<u>FY '94 and FY '95</u>
VISTA	\$ 45.8
No corresponding provision.-----	
VISTA Literacy Corps	\$ 5
Student Community Service	\$ 2.2
Special Volunteer Programs	"such sums"
Literacy Challenge Grants	"such sums"

Older American Volunteer Programs.

	<u>FY '94 and FY '95</u>
Retired\Senior Volunteer Program	\$ 37
Foster Grandparent Program	\$ 71.2
Senior Companion Program	\$ 32.5

Chapter 5- General Provisions. Section 391 through
Section 391.
Technical and Conforming Amendments.

Subtitle C: Youth Conservation Corps of 1970. Section
399.

No corresponding provision.

Public Lands Corps. The Youth Conservation Corps Act of 1973 is amended and retitled the Public Lands Corps Act of 1993. The Public Lands Corps Act of 1993 will perform conservation projects, research, and educational tasks on public and Indian lands. This Act includes post service benefits in the form of national service educational awards or loan forgiveness on Stafford loans. 75 percent of the funding for this Act will be shared by the Department of the Interior and Department of Agriculture, the remaining 25 percent from non-federal sources.

Title IV-Technical and Conforming Amendments.
Section 401 through Section 406.

Mrs. COLLINS of Illinois. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, as the ranking member of the Subcommittee on Commerce, Consumer Protection, and Competitiveness of the Committee on Energy and Commerce, and as a cosponsor of the legislation, the gentleman has provided great assistance in the development of this bill.

I would also like to thank the members of the committee, the former ranking Republican member of the subcommittee, Mr. McMILLAN of North Carolina, and the distinguished gentleman from Ohio [Mr. OXLEY] for their cosponsorship of this legislation.

Mr. Speaker, on May 18, 1993, the House passed H.R. 1189 by voice vote. The bill, which provides reciprocity for weapons licenses for certain armored car crew members, is a noncontroversial bill. On June 30, the Senate passed the bill with several technical amendments. These technical amendments improved the bill, and the purpose of this unanimous-consent request is to concur in those amendments.

Mr. STEARNS. Mr. Speaker, further reserving the right to object, I would like to thank the gentlewoman for her explanation. I have enjoyed working with the distinguished chairwoman of the subcommittee on this legislation.

This legislation is a commonsense bill which was forged in a true spirit of bipartisanship. It passed the House earlier this year without opposition, and the Senate amendments make no significant substantive changes.

Mr. Speaker, I do not oppose the gentlewoman's unanimous-consent request, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentlewoman from Illinois?

There was no objection.

A motion to reconsider was laid on the table.

NATIONAL SERVICE TRUST ACT OF 1993

The SPEAKER pro tempore (Mr. MONTGOMERY). Pursuant to House Resolution 215 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2010.

□ 1417

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2010) to amend the National and Community Service Act of 1990 to establish a Corporation for National Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and for other purposes; with Mr. FIELDS of Louisiana in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Michigan [Mr. FORD] will be recognized for 1 hour and 30 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 1 hour and 30 minutes.

The Chair recognizes the gentleman from Michigan [Mr. FORD].

(Mr. FORD of Michigan asked and was given permission to revise and extend his remarks.)

Mr. FORD of Michigan. Mr. Chairman, before yielding any time, pursuant to an informal agreement with the minority, I ask unanimous consent that the majority yield 15 minutes of its time, and the minority yield 15 minutes of its time, to the gentleman from Wisconsin [Mr. GUNDERSON], who shall have the authority to control that time period.

Mr. GOODLING. Mr. Chairman, I yield 15 minutes from this side.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

✓ Mr. FORD of Michigan. Mr. Chairman, I yield myself 30 seconds, in the interest of getting an opportunity for all the people who wish to speak, an opportunity to speak, on the bill during general debate.

Mr. Chairman, throughout Bill Clinton's 1992 campaign, one issue touched Americans of all backgrounds and political persuasions unlike any other. It was an issue that bound together several of our highest ideals. The urge to help solve crushing social problems. The call to serve our fellow citizens. The desire for a better education.

That proposal is now before us. H.R. 2010, the National Service Trust Act of 1993, rewards individual responsibility, and builds community by encouraging Americans of all ages to work together to tackle our common problems. It will also expand educational opportunity for those who participate.

This legislation, in its broad aim, has precedents. After the Second World War, the GI bill gave a generation of returning servicemen the opportunity to educate themselves and help launch America's unprecedented era of prosperity. The GI bill rewarded military service, irrespective of the status of the participant. Its benefits were equally available to all returning servicemen.

As the GI bill's social and economic benefits continued to unfold, President Kennedy appealed to our sense of service in launching the Peace Corps, a mission that secured America's reputation as the most generous nation on Earth. It remains the most admired program of the 1960's.

H.R. 2010 builds on the legacies of these two historic programs, and on the Peace Corps' domestic counterpart, VISTA, the Volunteers in Service to America. From its modest start in this legislation, national service will, we hope, nurture a more compassionate, public-spirited consciousness among our citizens and help to rebuild the sense of community we seem to be sorely lacking.

The diversity of support for the bill is impressive. We have received corporate en-

dorsements ranging from Archer Daniels Midland Co. to Zenith, from Ben & Jerry's to Dow Chemical. The dozens of nonprofit supporters include the American Association of Retired Persons, the Child Welfare League of America, the Close Up Foundation, the National Governors Association, United Way of America, and the Fraternal Order of Police.

On July 9, I received a letter from Elizabeth Dole, president of the American Red Cross, in support of H.R. 2010. I quote:

We understand that community service is neither a panacea for the nation's problems nor a substitute for traditional volunteerism. However, your bill will enlarge the means by which individuals can make a difference in their community.

I am particularly pleased that the Red Cross has joined so many others in support of this bill.

H.R. 2010 would allow any individual at least 17 years of age to apply to the national service program to serve—not volunteer—on pressing educational, environmental, human and public safety problems. Participants would tutor school children, run recycling programs, aid homebound individuals, and serve in projects dedicated to solving hundreds of other problems that simply are not being addressed.

In return for a year of full-time service, participants would receive a \$5,000 educational award, the current VISTA subsistence allowance of \$7,400, and health and child care benefits as necessary. Awards could be used to repay loans for higher education or to pay for tuition or approved job training. Individuals could receive up to two \$5,000 awards for each 2 years of service.

Qualifying service programs would be operated by Federal agencies, States, local governments, school districts, colleges, or community-based not-for-profit organizations. The National Service Trust, a Government corporation, would help local organizations qualify for the initiative and ensure that their public mission is up to standards of usefulness of participants and communities.

Thus, the bill would establish no new Federal bureaucracy to run programs but rely on existing, local networks. The initiative relies on locally driven programs, allowing participants flexibility and stimulating competition among sponsoring organizations.

H.R. 2010 would authorize \$394 million in 1994 appropriations, creating 25,000 to 30,000 slots, and such sums as may be necessary in 1995 and 1996. We would expect that if this program succeeds, if it strikes in reality the nerve it has as a proposal, then national service will grow in the years ahead. If it fails to fulfill needs both for participants and the communities we expect them to serve, we will be prepared to pull the plug on it.

The bill also would reauthorize the school-based service-learning programs for grades K-12 and college youth, for \$45 million; the VISTA and Older American Volunteer Programs under the Domestic Volunteer Service Act, for \$319 million; and the civilian community corps and the Points of Light Foundation. All out-year authorizations are for such sums as may be necessary.

Mr. Chairman, in recent days, I have seen an issues brief circulated by the House Republican Conference about national service. I want to correct some misstatements in that paper for my colleagues.

□ 1420

First of all, H.R. 2010 has nothing to do with the direct lending proposal that is part of the budget reconciliation bill.

As I have noted, the bill before us does not provide a multi-billion-dollar authorization. This was originally proposed by the administration, but was modified after consultation with Members on both sides of the aisle.

As Congress is to provide appropriations, the National Service Act would establish no entitlement. No one is entitled to participate in the program, and no program is entitled to receive funds. All programs will be selected competitively. Grants will be evaluated frequently and bad programs will be weeded out. Finally, the administration never proposed to create an entitlement.

Because funds are to be appropriated through the HUD/VA subcommittees, national service will not compete with funding for Pell grants and other education programs that are provided through the Labor/HHS bill. We are not taking away money from poor students to fund national service.

Further, the Labor-HHS bill that passed the House restored the major part of campus-based aid funds and we have been assured by the administration that it will continue to work with the appropriators to fully fund campus-based aid programs.

In its formulation in the White House, Members may recall, some were concerned that the benefits of national service would exceed those of military service. Military service people receive more than participants in national service. And military pay is considerably higher than that proposed for national service participants. I want to acknowledge the role played by Chairman MONTGOMERY in this regard and to note that he is an original cosponsor of the bill.

There are concerns that this bill would create another bureaucracy on top of existing programs that support community service. In fact, we would streamline these dispersed programs and merge the old ACTION and the Commission on National and Community Service. The Corporation for National Service is modeled on the Corporation for Public Broadcasting, an entity that spreads authority to local agencies. We are not creating a new bureaucratic monster.

Some of my colleagues may be wary that national service would displace paid jobs or be a threat to unions and their members. Unions endorsing the bill include the American Federation of State, County and Municipal Employees and the American Federation of Teachers, Service Employees Union, as well as the FOP. The bill would require consultation with employee representatives to ensure it does not displace wage-earning workers.

Finally, some suggest that a lottery should be held to allocate national service slots. That is impractical, since programs have different requirements and participants different interests. Under the bill, the programs—the people on the ground, working on these tasks—would select participants on a nondiscriminatory basis.

National Service is not a make-work program. It is not welfare. It is not an entitlement. It does not replace volunteerism. It is a trade—education aid in return for service of important and lasting community value.

I urge my colleagues to vote for the bill.

Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. CLAY].

(Mr. CLAY asked and was given permission to revise and extend his remarks.)

Mr. CLAY. Mr. Chairman, I rise in support of H.R. 2010. Among other provisions, H.R. 2010 consolidates the administration of existing service programs; such as ACTION, VISTA, and the Peace Corps; with the administration of the new national and community service programs provided in this legislation. Provisions of the legislation relating to compensation and personnel practices within the new Corporation for National Service are within the jurisdiction of the Committee on Post Office and Civil Service.

I want to express my appreciation to the chairman of the Education and Labor Committee, Mr. FORD, the sponsor of this bill and chairman of the Subcommittee on Human Resources, Mr. MARTINEZ, and the chairman of the Subcommittee on Select Education and Civil Rights, Mr. OWENS, for their willingness to work with the Committee on Post Office and Civil Service to improve this legislation. I also want to express my appreciation to the administration. The legislation before us not only promotes national and community service, but ensures that the service programs will be competently administered by professional staff on a nonpartisan basis. I urge my colleagues to support H.R. 2010.

Mr. GOODLING. Mr. Chairman, I yield what time he may consume to the distinguished gentleman from Illinois [Mr. MICHEL], the minority leader.

(Mr. MICHEL asked and was given permission to revise and extend his remarks.)

Mr. MICHEL. Mr. Chairman, what we are going to be debating today is not just the details of H.R. 2010, although they are important, but the very concept of national service.

We all agree that it is a good thing to inculcate in our young people what have been called the habits of the heart, the predisposition to serve the large community voluntarily. Indeed, we all want to capture the idea of community itself, an idea which has fallen on hard times of late.

But the proposal before use today is a step away from voluntary community service, because it is a system of government rewards for those who serve.

The true purpose of community service should be for the individual voluntarily to put aside his or her private goals in order to serve the needs of others.

I am reminded of the story of the man who came upon a volunteer working in a hospital ward dealing with the most horrible of burn cases. And the man seeing the horror all around him said to the volunteer, "I wouldn't do your job for a million dollars." And she replied: "Neither would I."

That is the true spirit of community service. If we cannot get this idea across to our young people, and if we settle for the idea in this proposal, what we will have told our young peo-

ple is: Do not perform community service unless you are reimbursed for it in some economically beneficial way, or receive a reward for it.

The proposal, in my view, is yet another example of a persistent and troubling pattern of this administration. We get inspirational campaign rhetoric, in this case with a Kennedyesque ring to it, about a desirable goal. But the administration has not the foggiest idea of how to translate that rhetoric into an effective program to reach the goal.

What we get in the end is another big Government program in which Big Daddy creates a system of rewards. But Government-run community voluntarism is a contradiction in terms.

And why are we considering a potentially massive new spending program at this time when the budget debate has not yet been completed? Does it really make sense to provide a very limited number of persons, not defined by income category or age, with a minimum wage job, health benefits, child care, and education benefits totaling \$15,000 per year per person when we are not yet fully funding our Pell grants for truly needy students?

Should the community service jobs be open ended, or should they be targeted more directly to serve a real need in our communities?

Someone once said a tragedy may be defined as the "killing of a beautiful theory by an ugly fact." The ugly facts just have not been considered by the administration, intoxicated as it is by its own rhetoric.

Let me say to those who support this concept, the habits of the heart cannot be inculcated by bureaucratic disbursement of tax dollars. The idea of community cannot be enhanced by looking to Washington to tell us what community service is, or indeed what community itself is.

Only when millions of individual volunteers in tens of thousands of America's communities tell Washington through their actions what community service is can we truly reflect the strength of this Nation of communities.

This proposal, in my judgment, misses the point of voluntarism entirely. It is not effective as an aid to education and it tells young Americans that they should always look for a payoff when helping their community.

But in America, for 200 years, the idea of helping the community itself has been the payoff. And I would urge my fellow colleagues not to weaken or destroy that great concept by putting it in the hands of another governmental bureaucracy.

Mr. FORD of Michigan. Mr. Chairman, I yield myself 20 seconds.

For Members who are still in their offices and Members on the floor, the gentleman who just spoke indicates to me that he has not had time to look at what we have before us. We have a 302-page bill, a piece of proposed legislation. We have a 341-page explanation of

the bill, and I call Members' attention particularly to page 83 and following which recites in two pages the full history of how this bill got here, where it comes from, and maybe we will not have a repeat of the misinformation that the gentleman from Illinois just gave us.

Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. MARTINEZ], the principal sponsor of the bill and chairman of one of the subcommittees with jurisdiction over it.

(Mr. MARTINEZ asked and was given permission to revise and extend his remarks.)

Mr. MARTINEZ. Mr. Chairman, I can see two reasons for H.R. 2010. One is to instill in young people today the spirit of our forefathers for community service. And the other is to provide an opportunity for these same people to receive higher education without the cloud of enormous debt hanging over their head when they finish their schooling.

Mr. Chairman, in every desperate era, the Government—in living up to its mandate of promoting the general welfare—has provided the policy leadership and programs necessary to that end. For my older brothers, it was the CCC's of the 1930's—for those of you too young to remember, those years were the height of the Depression.

That program—replicated in this bill—took young people out of ghettos and gave them a small stipend and room and board in exchange for community service—but the money they received was not their reward—the community service experience was their reward. It gave them a sense of being a part of their community and a pride that changed their lives forever.

In this bill we provide that opportunity for both rural and urban youth. And we do much more than that.

This bill also reinvents Government by consolidating and streamlining the existing Federal administration of service and volunteer programs.

It abolishes the Action Agency and the Commission on National and Community Service and delegates the functions of both agencies to the Corporation for National Service. Thus allowing for a flexible and quality-driven personnel system that may very well redefine merit-based Government service.

At the same time, it gives full consideration to the employees of the Action Agency for their years of invaluable service by retaining their competitive status protection as employees of the new corporation.

Mr. Chairman, one of my colleagues claims that participants in this program won't learn the service ethic because they are " * * * being paid a healthy sum to do the service". I only remind my colleague that no one can argue that the Peace Corps participants didn't learn the service ethic—the evidence is overwhelming to the contrary.

I would also like to remind my colleagues that Peace Corps cost are comparable to this program. The big difference is that the community service provided in this bill is done here, not in a foreign country. It's one way of putting our people first.

Mr. Chairman, I, like many of us here, feel fortunate to have been born when I was. Most of us have had the best of all worlds. We, as children raised through a depression saw our parents live the tough life of providing a better life for us.

In turn we lived our parenting time thinking we would provide a better life for our children, but the world changes and now we find the bad economy and the education requirements of a high tech society are making it tougher for our children to succeed.

Mr. Chairman, a member of the Rules Committee's objection to the bill was that we are going too much for young people and the Government can't afford it. I guess the inference was that young people today don't have the gumption to do for themselves.

Mr. Chairman, I don't believe that it's that simple. In most cases we have not provided the opportunity to them to work for their own gratification and to develop expectations for themselves. Mr. Chairman, my dad used to say that most people only appreciate and value the things they work for and earn themselves. In this bill we provide the opportunity for young people to earn and learn—to develop a sense of community and have confidence in themselves and others.

Mr. Chairman, beyond earning and learning, we provide the opportunity for young and old to serve as well as be served and finally let me state emphatically that the components of this bill are based on proved concepts. I urge my colleagues to support the National Service Trust Act of 1993.

□ 1430

Mr. GUNDERSON. Mr. Chairman, I yield myself 2½ minutes.

(Mr. GUNDERSON asked and was given permission to revise and extend his remarks.)

Mr. GUNDERSON. Mr. Chairman and Members, I rise in support of the National Service Trust Act. I do that as a Republican because I think, first of all, this is a test of whether this Congress, Republicans and Democrats alike, can work with this President in a bipartisan manner to get something done when the President is willing to meet us halfway.

I also rise in support of this legislation because, very frankly, it is a real test of this Congress as to whether or not we are going to have the courage and the ability to redesign some of our Federal delivery systems, to find ways in which we can solve local and national problems and, quite frankly, a more cost-effective way than the present delivery system.

Let us understand what National Service is and what it is not. National

Service is not student financial aid; National Service is not paid voluntarism. National Service is a public partnership from the Federal, State, and local level to meet a unique and urgent local or national need with particular opportunities for professional and personal growth for those young people involved.

Mr. Chairman, we have worked with the Administration through this legislation. This is not the original Nunn/McCurdy proposal that required all students who receive financial aid to give national service. This is not the entitlement program the President talked about in the campaign.

This is a dramatically redesigned program that is going to be subject to the legislative and budget priorities of this Congress every year.

This bill, as we deal with it today, is a program which combines the best of, frankly, the Democratic Party's ideals for public service, with the Republican Party's ideals for efficiency, for local control, in that delivery system. We have a bill today that is a small beginning, not a big new entitlement.

It is a bill that says, "You ought to work; you are not just going to get free grant money." It is such sums, not entitlements; it is controlled at the State and local level, not the Federal level; it requires local cost shares. It even requires sub-minimum wages if they design it and the program is taken on a competitive review process.

Participants are not a part of the Federal civil service system; they are unique applicants and participants for a short period of time.

So, what we have done in this legislation is bring together what we believe can be the beginning of a way in which we can better meet those local needs when we are cutting Medicare and Medicaid, when we are cutting CDBG's and our other programs.

I urge all of my colleagues, take a look at this, it might meet your test.

Mr. FORD of Michigan. Mr. Chairman, I yield 4 minutes to the gentleman from Oklahoma [Mr. MCCURDY], the longest continuous and most ardent proponent of national service among all of us here on the floor today.

(Mr. MCCURDY asked and was given permission to revise and extend his remarks.)

Mr. MCCURDY. Mr. Chairman, this is a proud day for those who have labored for years, through the Democratic Leadership Council and other forums, to keep the idea of national service alive.

Bill Clinton was elected last year in large part because he promised that he would be a new Democrat. The President's national service plan is the most powerful symbol of the philosophy of mutual obligation that he promoted during the campaign.

National service represents a new approach to social programs, an approach emphasizing individual responsibility. National service views Government as

a partner in, rather than manager of, efforts to address our social problems.

To a great extent, American Government has become detached from the individual. From State houses and from Washington, our governmental institutions assess taxes, create programs, and enforce rights, often in ways that are bewildering to the average American. But with detachment comes disenfranchisement, and an abdication of responsibility. Without a stake in their community or a voice in their politics, many Americans have abandoned both.

According to a recent Atlantic magazine article, less than half of all Americans now believe that sacrifice for others is a moral virtue. And yet millions of us look to Government—that is, to our fellow citizens—for security against unemployment, ill health, and retirement.

It was against this background that Bill Clinton introduced his notion of a New Covenant. In his vision, citizens and Government would be bound by a new commitment to shared principles, to the building of local and national communities, to the reinvigoration of the national economy, and to the rebirth of the idea of service to others.

National service lies at the very core of this agenda. This legislation will challenge Americans to repay their debt of opportunity with service to their country. It will allow our young people to recall their sense of obligation and to choose commitment over apathy, involvement over disenfranchisement, community over individualism.

The administration's national service plan is too often described as a student loan program. It is not. The educational benefit offered to those who volunteer is important, but the basic purpose of national service is to allow young Americans to exercise their responsibilities as freely as they exercise their rights.

A broad-based national service plan can make many contributions to our society. It can help rebuild our infrastructure, protect our environment, tutor our young, and care for our old. It can enrich the lives of its participants by demonstrating the satisfaction to be gained from giving to others, instilling young people with valuable life-management skills, and bring people together from diverse backgrounds.

National service will accomplish these goals while promoting a new, participatory model of Government activism. By using an independent corporation for management, tapping the American spirit of voluntarism, and focusing on grassroots organizations, national service will address social needs without an expanded Government bureaucracy and at relatively low cost.

This message transcends traditional Republican and Democratic philosophies. It goes to the core of what is wrong with American politics and, at a deeper level, American society. If national service helps to create a new sense of community in America, it will

make a profound contribution to our political system and our society.

Those who believe that the American ethos need a new infusion of responsibility, of duty, of concern for others, should support this bill.

Mr. Chairman, I would like to commend my colleagues on both sides of the aisle, the distinguished chairman of the Committee on Education and Labor, the gentleman from Michigan, [Mr. FORD] for his stewardship of this legislation through his committee; the gentleman from California [Mr. MARTINEZ] for his long-standing support of National Service; and I want to commend my colleagues on the other side of the aisle, the gentleman from Connecticut, [Mr. SHAYS] and the gentleman from Wisconsin, [Mr. GUNDERSON] for their dedicated leadership and strong support for this initiative.

It is a program that has bipartisan support because it does capture the true spirit of America, and that is, giving something back for your country, to your country, and abandoning this philosophy of having something for nothing.

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina [Mr. BALLENGER], a member of the committee.

(Mr. BALLENGER asked and was given permission to revise and extend his remarks.)

Mr. BALLENGER. Mr. Chairman, I am all for the idea of service, I have served in the Navy Air Corps and volunteered for every local program. So what could be better than service on a national scale? But if we are honest here, H.R. 2010 has very little to do with service. The students who participate will receive not only an educational benefit, but a living stipend, child care and health care. This sounds like a new welfare program to me.

It is simply not the responsibility of the Government and the American taxpayers to create jobs and then pay for the living and educational expenses of students working in those artificially created jobs, all under the auspices of a national service program.

If this were truly a service program, the students would perform voluntarily for the purpose of helping others, not earning a living. They might still be regarded with an educational stipend, but that would be incidental. The motivation for joining the program would be to meet the needs of the community, not earn a living and an education at the expense of others. I do not understand why this new program is allegedly necessary. Many private and Federal volunteer programs are already in place which have significantly contributed to our communities. Now is simply not the time to undertake a new spending program.

One particularly troublesome facet of this bill is the blatant conflict-of-interest provision involving labor unions. The bill requires grant applicants to consult with, and in some cases receive the concurrence of labor unions, who

may apply for those same grants. The unions have the power to influence the outcome of grants to nonunion applicants, while they themselves may apply for those same grants. This distinct advantage given to labor unions, over other applicants, is ludicrous.

It seems that there has been some confusion over the eligibility of labor unions to apply for grants. In a legislative summary sent to some offices, the Democratic Study Group focused on the provision in this bill that states that labor unions may not apply for a grant with the intent to use that money to pay volunteers to help the union organize union workers. However, the DSG did not mention that the National Service bill explicitly states that labor unions may apply for grants if the grant would be used to provide for community service. It is not ethical if one of the applicants is given a distinct advantage over the other applicants. And yet that is exactly what his provision in the bill would do.

I plan to offer an amendment to delete this obvious conflict-of-interest giving unions an unfair advantage over other applicants. I urge my colleagues to support my amendment. It is essential to delete this provision that is rife with the potential for abuse.

□ 1440

Mr. FORD of Michigan. Mr. Chairman, I yield 3 minutes to the ranking member of the committee, the gentleman from Ohio [Mr. SAWYER].

Mr. SAWYER. Mr. Chairman, in the debate over the National Service Trust Act, the word volunteer has inspired as much rhetoric as any specific provision of the bill. Opponents have used it to criticize the proposal, because national service volunteers will receive a basic level of benefits in return for their service.

However, we readily refer to our armed services as an All-Volunteer Force. We use this term even though military personnel receive many benefits and rewards. We use it because we recognize that the job of defending our Nation requires real personal sacrifice. To do that work for little or no pay would be above and beyond the call of any American's duty in peacetime.

It is true that national service participants would receive a basic living allowance, plus health and child care benefits, if necessary. They could also acquire marketable skills and credentials. And yes, they would be eligible for modest educational awards, regardless of their family income.

But we offer nothing less to the men and women of our Armed Forces. No one would argue that soldiers and sailors live in luxury, or that they are doing make-work jobs. But we understand that some basic level of compensation for service is necessary if the Nation is to remain strong.

The National Service Trust Act is based on this principle. It would strengthen the Nation by encouraging and rewarding service in our commu-

nities. That service—the day-to-day work of teaching our children, making our streets secure, and reviving our most troubled communities—is of undeniable importance to the Nation.

Several amendments will be offered to this bill that would limit the reasonable benefits it would provide. Some will seek to eliminate the funding for living allowances or other basic needs. Others will seek to lessen the educational reward. I believe both of these approaches not only reduce the incentive to engage in service, they imply that the service performed is of lesser value. We do not mean-test benefits earned during military service. We should not devalue service in our communities by requiring participants to exhaust all other avenues of educational funding before they can receive even part of the reward they have earned.

We rightly provide for, and reward, the men and women who voluntarily defend our Nation. We should do no less for those who will voluntarily help to rebuild it. I urge my colleagues to oppose amendments that would reduce our commitment to them, and to support the National Service Trust Act.

Mr. GOODLING. Mr. Chairman, I yield myself such time as I may consume.

(Mr. GOODLING asked and was given permission to revise and extend his remarks.)

Mr. GOODLING. Mr. Chairman, if we were to enact this legislation in its present form, it would probably be one of the most immoral acts that this Congress has ever perpetrated upon the American people. Immoral is the only term I can use, because it is Robin Hood in reverse. If ever there was Robin Hood in reverse, you have it in this legislation.

I do not have any problems with national service, public service, whatever you want to call it. We have 30-some Federal service programs going on at the present time.

In fact, it is over a billion dollars that we spend. It might be a good idea sometime to get all those together and see what it is we are doing, and what we are not doing, and what we should be doing in the area of national service.

My problem with this is that it is Robin Hood in reverse. We are now finding that we must cut grants to States for needs-based higher education assistance. We are finding that we must cut work study programs. Many colleges and universities, as a matter of fact, require their students to go out and do public service in their college work-study programs. You do not have to create a new bureaucracy to do that. If you want to do it, use the bureaucracy that is there, mandate that a certain percentage of the people who receive work study grants serve the community in which they go to school.

You are saying to those who cannot afford an education, over 3 million who presently receive some funds from the

Federal Government to get a higher education or a post-secondary education, you are saying to them, "Sorry, we don't have money for you. Sorry, we have to cut work study. Sorry, we have to cut State grants. Oh, but we just happen to have \$15,000 a year to anybody, no matter what your family's income may be. We cannot help those of you in need, but boy, we sure can throw out \$15,000 a year to those who are not in need."

Now, you are going to get the cry that, oh, when you do a program like this, you have to have a cross section. Well, let me tell you about the cross-section. The last bill we passed, the higher education bill, depending which college or university you go to, that takes you up to \$70,000 or \$75,000. That is a pretty good cross section. I do not believe you need to go out and hunt a cross section. You have to take care of those in need before you take care of those who are not in need. That is the big problem with the legislation.

I will offer an amendment to try to do something about that when we get to that point.

Now, to those who like, somehow or other, to mix this up with GI benefits—GI benefits—can you imagine volunteering for this national service program and then, somehow or other, saying it has something to do with serving in the military? All of a sudden to be called up and go to the Middle East, all of a sudden 300 going to Macedonia. How would you like to be one of 300 going to Macedonia? You will be a pigeon there, waiting for them to pick you off. It is criminal to do something of that nature.

We are not talking about the same kind of benefits. We are not talking about the same kind of pressures, the same kind of death threats, and so forth, that all those people who serve in the military go through.

Read what the American Legion is saying about the legislation. They are not jumping up and down in delight and somehow comparing apples and oranges, as people would like to do here.

One other thing we are doing with the legislation, now you are going to get people going this route, rather than volunteering for the military service.

Let me tell you, if we are going to wipe out Korea tomorrow, and we are going to defend Macedonia today, and we are going to do something else to Yugoslavia the next day, we better have a force there, and not a force who are sitting there, as I said, like ducks waiting to be picked off. They should be protected.

We have to look at this legislation for what it is. First of all, we have to needs test the educational part of these benefits.

How can you tell 3 million in need that you have to go through a needs-test program, but you do not have to do it if you join this program?

Positively, you should have to go through that same procedure and then it would be fair to all.

So Mr. Chairman, I hope that some of the amendments that are available for this legislation will become law, or I have to repeat what I said at the beginning, to pass it in its present form is immoral at the best.

Mr. ORTIZ. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. WOOLSEY].

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, I rise in support of the National Service Trust Act.

National service will change lives. More of our young people will be able to gain education and training beyond high school. And, as they volunteer to better their own lives, they will improve the lives of others.

At the same time, important and meaningful volunteer programs will receive new life and new assistance to meet unmet social and community needs.

Mr. Chairman, I am particularly pleased that the National Service Trust Act does not restrict volunteers based on income. At a time when too many Americans define themselves by their differences, I value this opportunity to bring together young people from diverse backgrounds. Youth from middle-class families will have the opportunity to work side-by-side with peers from the very communities they are serving.

President Clinton conceived of national service as a way to build a new sense of community in America. I support this goal, and I urge my colleagues to do so, as well, by voting for the National Service Trust Act.

Mr. GUNDERSON. Mr. Chairman, I yield 2½ minutes to the gentleman from Michigan [Mr. HOEKSTRA], a member of the committee and a good friend who has worked hard and close with us on this bill.

Mr. HOEKSTRA. Mr. Chairman, I rise today to voice my support for the National Service Trust Program. This legislation will give people from a variety of walks of life the opportunity to serve their communities in exchange for awards to attend post-secondary schools of their choice.

This program will enable people from all over the country from a variety of ethnic, economic and educational backgrounds, to work on some of the most pressing needs facing their local communities.

This experience is not only sure to change their communities, but also change the participants in a dramatic way.

□ 1450

I would like to stress that I do not believe that this program will replace volunteer programs that are currently taking place, but will, instead, support them and allow them to flourish. While some participants will work in new programs, many more will serve in existing programs, existing programs

that have been dreaming about expanding the roles that they are playing in their local communities. What they will now have is access to young volunteers who are willing to work 40 hours per week to support their programs. They may also use their participants to expand into new areas that they simply have not had the ability to tackle before, and these local agencies will be the best informed to address and identify the pressing needs within their communities.

During the first year of operation, Mr. Chairman, this program would allow an average of 500 volunteers per State. I would gladly put all 500 that will be in Michigan to work in my district alone. They could work with latchkey kids in an after-school program. They could buy groceries and provide other services for shut-ins. They could teach at a youth volunteer corps fine arts camp for inner city youth. They could build and renovate new homes with Habitat for Humanity. They could participate in environmental cleanups along the shores of Lake Michigan, and the list goes on and on.

Mr. Chairman, I would urge my colleagues to look carefully at this legislation asking young people to give of their time and energy before they receive financial assistance from the government. It is a new concept and, I believe, very American. I am, therefore, supporting the National Service Trust Act of 1993 and encourage my colleagues to do the same.

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the gentleman from Mississippi [Mr. MONTGOMERY].

(Mr. MONTGOMERY asked and was given permission to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Chairman, I rise in strong support of H.R. 2010, the National Service Trust Act of 1993. The establishment of a program of national service is one of President Clinton's highest legislative priorities, and I congratulate him for sending us this excellent initiative.

The program created under H.R. 2010 will provide the opportunity for thousands of young men and women, and citizens of all ages, races, and income levels, to come together and take an active part in the improvement of their neighborhoods, towns, and cities. This program will foster a new level of public spirit, and all participants will be even better citizens as a result of their national service experience.

Under the program, Mr. Chairman, young people will have the opportunity to earn education benefits in exchange for working to improve their communities. The benefit level established under H.R. 2010 is reasonable, and I really do not expect the national service program to interfere with the ability of the armed services to recruit the high quality men and women that we do need.

That is a very important point to make here today, Mr. Chairman, that I

do not believe this will interfere with the recruiting of persons that come into our military service as they do it on a voluntary basis, so this is a good bill, and I support it, and I urge my colleagues to do the same.

Mr. GOODLING. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. ARMEY].

Mr. ARMEY. Mr. Chairman, for some time now I have been listening to this debate more with amusement than dismay, but I think dismay is winning out.

It was merely amusing to learn that all these pressing, unmet needs supposedly blighting our Nation can only be solved by a new Federal spending program devised by 25-year-old Harvard graduates and run by Washington bureaucrats. My experience is that a bad idea can only be born in a bad environment isolated from reality. Which explains this bad idea. It came from the universities directly to Washington, and remains isolated in the only two communities that will benefit from it: The academics and the politicians.

But heck, this is the big-government solution to everything. I would almost be disappointed if I did not hear it in this Chamber.

My amusement began giving way to dismay when I was told, "This bill is going to make college education affordable again—if you're one of the 1 percent lucky enough to be included, but for the rest it doesn't reduce the costs of college one penny." In fact, Mr. Chairman, by pumping more money into universities, it will probably drive the cost of college up for everyone.

But the argument that brings me to the floor today is the assertion that this bill is necessary to revive the American spirit of service alleged to have been smothered during the so-called Reagan era of greed, and how are we going to revive this spirit of service? By dangling \$20,000 in cash and benefits before the noses of America's young idealists.

Mr. Chairman, this is not a noble attack upon greed. It is more akin to a welfare program for the aspiring puppies of America.

Mr. Chairman, I oppose this bill because it displaces private charity with government-managed, well-paid social activism, based on the elitist assumption that community service is not taking place right now. To my mind, community service is working hard, earning a paycheck, feeding and schooling your children, paying your taxes, and taking part in your church and your community—not some government-paid service job.

The truth is, 80 percent of Americans already perform some form of voluntary service—free of charge. Unfortunately, some in Washington cannot see something happening unless a government program is making it happen. And, of course, they miss the best of what is happening in America. Like the fact that in 1991 individual Americans

gave \$103 billion in charitable contributions—a 58-percent increase over what they gave in 1980—and \$176 billion in volunteer time. Corporations gave \$21 billion—a 52-percent increase over what they gave in 1980. So the American people gave a total of \$300 billion in charitable effort in that one year alone, and yet we are supposed to believe that another \$7 billion in government spending over 4 years is going to reawaken the dormant spirit of service in our land? What an affront to the American people.

This bill also has an identity crisis. Is it a service program or a loan program? To the professional service crowd, it claims to meet pressing, unmet needs through meaningful service, but to the labor unions, it promises not to displace any real workers who are busy meeting real needs. And this bill cannot even bring itself to decide who deserves the larger monetary reward—college students raking leaves, or veterans who have served this Nation's flag.

From first line to last, this bill seems calculated to increase the American people's dependence upon, and gratitude to, big government. I wonder whether that might not be the only real unspoken motive behind this legislation.

Remembers, Mr. Chairman, the politics of greed. If I might borrow a word the Democrats believe they own, the politics of greed is always best served up when wrapped in the language of love. Mr. Chairman, from my point of view, the worst thing about this bill is it is so darned undignified. I say to my colleagues, do yourself a favor and vote against it.

Mr. MARTINEZ. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. OWENS].

(Mr. OWENS asked and was given permission to revise and extend his remarks.)

Mr. OWENS. Mr. Chairman, I rise in strong support of H.R. 2010, the National Service Trust Act. Finally the gridlock has been broken, the gridlock between theory and implementation has been ended. I congratulate President Clinton for his speedy action. This legislation unites, streamlines, and reinvigorates what was a fragmented and moribund policy on national service. It has been developed with bipartisan support and in close consultation with a wide array of constituencies. This process of dialog and collaboration has yielded a bold initiative to renew and strengthen the commitment of Americans to serving their communities and each other. The legislation includes provisions to ensure that individuals will be able to participate in full-time national service, regardless of their socioeconomic circumstances. Those who live in the communities where help is needed will be able to work alongside those who come from the outside.

There are some among us who would lead you to believe that we are instituting a system to pay for volunteers.

However, the truth is that this bill establishes a national core of people willing to give of their time, energy, talent, and most importantly, of themselves, in service to others. This legislation has reignited the spirit embodied by John F. Kennedy's VISTA initiative in which the philosophy of giving and sharing of oneself within the greater context of the community was an ultimate goal, helping others to help themselves.

As chairman of the Subcommittee on Select Education and Civil Rights, the committee of jurisdiction over the ACTION Agency and the VISTA Program, I am particularly pleased that the intent and integrity of VISTA has been so well preserved. President Clinton is one of the many supporters of VISTA who recognizes the importance and power of the VISTA ideal, which relies on the essential dignity and hard work of people within their own communities to encourage growth and development, of both the individual and the community. It is this ideal upon which the National Service Trust Act is founded.

The ACTION Agency has administered the VISTA Program and the Older American Volunteer Programs for over 20 years. The employees of this agency will continue to contribute their many years of experience with community service programs as part of the new Corporation for National Service. The Corporation will also include a decentralized field structure, similar to the one already in existence at ACTION. This structure provides vital assistance and coordination at the State and local levels. This type of contact is essential to the success of national service, for while this initiative is national in scope, it will be nourished and sustained by local roots.

I want to thank Chairman FORD, Mr. MARTINEZ, and the members of the Committee on Education and Labor and their staffs for their diligent work and dedication in making this legislation more reflective of our concerns. I urge my colleagues to vote favorably for the National Service Trust Act.

□ 1500

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentlewoman from New York [Ms. MOLINARI], a member of the committee.

Ms. MOLINARI. Mr. Chairman, I thank the ranking member for yielding this time to me.

Mr. Chairman, I rise today to express my support for President Clinton's goal of encouraging all citizens to engage in service for their Nation and their community.

In fact, 7 months after I was sworn in as a Member of Congress, I strongly supported the National Service Act of 1990, legislation authored by the gentleman from Oklahoma [Mr. MCCUBBY], which helped stimulate national service at all levels of government.

However, today, in its current form, the National Service Act has created

more problems than it solves. Relative to salary, educational benefits, and guarantees of child care and health care at a time when the Federal Government is struggling to find the money to support worthwhile and proven projects, it seems inappropriate and unwise to create a costly new program, one which will be able to serve a small fraction of individuals who will qualify, and there is another way.

Let me say that \$389 million has been requested for this year to allow 25,000 participants to serve. The administration states that by 1997 the program will allow another 150,000 individuals to participate, costing at today's numbers close to \$4 billion.

That, Mr. Chairman, is less than 3 percent of the students eligible for aid. Not everyone will be allowed to participate. Those most in financial and social need may not be allowed, and those who are currently truly volunteers without remuneration can well say, "What's the point?" And those who will be paying the bill can ask the question, "Who is going to pay?"

There is another way, Mr. Chairman. Later this week we will be offering amendments to talk about ways that national service can be brought together for some compensation, but not the type we are talking about today.

Mr. Chairman, national service is a terrific goal, perhaps the most noble one we together can create. But it is a goal, I believe, that can be met without an exorbitant price tag. It is a goal that can be met without a salary and without several benefits. It is a goal that can be met by inspiring our citizens, by calling upon our citizens to help one another and by allowing them to redefine their future.

Mr. Chairman, I truly believe that most Americans will consider that the best paycheck they will ever earn.

Mr. FORD of Michigan. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. NEAL], a cosponsor of the bill.

Mr. NEAL of Massachusetts. Mr. Chairman, I speak from fond experience when I rise to urge my colleagues to support H.R. 2010, the National Service Act. In 1990 the Service to America Act was the first piece of legislation I helped to author that became law. This legislation was based on a community service learning program I established as mayor of Springfield, MA. I am proud to say that many cities and towns have modeled their service program after this most successful plan. I only hope that this plan on the national level will be as successful as the program in Springfield.

This legislation will bring a sense of civic responsibility to thousands of Americans. Those willing to join will have the opportunity to work toward solving problems in their own communities. For many it will be their first encounter to work with people of different races, creeds, and economic backgrounds in the pursuit of a common goal.

What this legislation does is recognize and reward those who put the greater good of their community ahead of their own self-interest. It will provide additional funding for college students without strict regard to financial means. While this legislation will help students afford higher education we must never forget its most important contribution. As president Wilson stated over 70 years ago, "There is no cause half so sacred as the cause of a people. There is no idea so uplifting as the idea of the service of humanity."

Mr. GUNDERSON. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA], who has been a long-time advocate of national service.

Mrs. MORELLA. Mr. Chairman, I am pleased to add my voice to those of my colleagues in support of H.R. 2010, the National Service Trust Act. This legislation aims to involve every young American, from kindergarten to adulthood, in service. To learn that Service is rent we pay for living.

H.R. 2010 would create opportunities to connect our young people to their communities, and enable them to make meaningful contributions to society. This act would open the doors to a higher education by offering financial awards to students in return for community service to help those individuals and programs most in need: children, elderly, sick, homeless, providing programs to assure public safety.

I have long been an advocate of providing financial assistance to students in return for service. In the 100th Congress, I introduced legislation to provide scholarships to students in return for service in the Peace Corps: A Peace Corps ROTC.

The Peace Corps Volunteer Education Demonstration Act was approved by the 101st Congress, as part of the National Service Act. And students in the Peace Corps helped by that program are now promoting peace and friendship while fighting hunger and poverty in developing nations.

Participants in the National Service Program would be like the Peace Corps volunteers, taking a year or two of their lives to devote themselves to service projects.

In my own district of Montgomery County MD, the Community Year Program, under the able auspices of Molly Callaway, is a working model of the National Service Trust initiative. Under the Community Year Program students between the ages of 17-23 work from September until June, on community projects around Montgomery County.

In exchange for their service, each participant receives a \$5,000 scholarship. Young people from diverse backgrounds, from college graduates to at-risk youth, work together in teams, building ramps for the physically disabled and working in shelters for the homeless.

The National Service Trust Act, like the Community Year Program, would

promote opportunities for young Americans from different backgrounds to work together toward a common goal, building mutual respect, and learning tolerance for diversity.

The Community Year Program is funded, in part, by a grant from the Commission on National and Community Service. The National Service Trust Act would strengthen this Commission through its Serve-America Program, which would incorporate service-learning in the curriculum of every school in America.

All over America, there is a new spirit of community service. Meeting and talking with young people in my district, I see an idealism and an eagerness to help others. I see an interest in working together to meet the social and technological needs of the future.

The time has come to provide American students with a program which channels their youthful energy and challenges them to discover the untapped resources within themselves.

We must encourage this spirit of service in our country by passing the National Service Trust Act. Linking academic study and community service will prepare our Nation's youth for a world where compassion and a willingness to help others will strengthen America and indeed make a difference.

□ 1510

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. GENE GREEN], a sponsor of the bill and a member of the committee.

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remark.)

Mr. GENE GREEN of Texas. Mr. Chairman, I rise today in support of the National Service Trust Act of 1993. As a cosponsor to this bill, I am working to ensure that it is passed and becomes a permanent part of our education and job training environment and also provide a service to fellow Americans.

This bill moves us in the right direction by providing options for our graduates and opportunities for them to serve the community and repay their financial obligations. This bill picks up where our economy leaves off. Since we have shortages in important areas such as teaching and health care, this bill opens the doors to these careers to students who might otherwise be unable to afford them. No longer will students face the burden of large student loan payments and the threat of default if they cannot find a job. These students will pay their debt and grow in the process to gain work experience and return something to their community. This is a triple win.

In the district I represent in Houston, there is an incredible need for increased education opportunities, health care services, and more police protection. By implementing this plan we can meet these needs at the same time we

provide education and job skills to young people.

Again I would like to state my support of this bill and my appreciation to the President, the Chair, and members of the Education and Labor Committee for their hard work on this important piece of legislation.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. BARRETT], a member of the committee.

Mr. BARRETT of Nebraska. Mr. Chairman, I rise in strong opposition to H.R. 2010, the National Service Trust Act.

I believe this bill is an assault on our existing national volunteer system, because it reaches into our local communities and federalizes the idea of volunteerism.

We are saying to 94 million American volunteers—you know, you have not been doing a good enough job, so we are going to pay 150,000 people to do your volunteer work. So, pack your bags, go home, do not worry, big brother Government is here to help.

Yes, Mr. Chairman, this bill creates a cadre of volunteer elite in this country. All the work of the Boy Scouts, Girl Scouts, the Red Cross, the Salvation Army, Boys Clubs, the United Way, community improvement volunteer groups, the YMCA, the YWCA, literacy councils, church groups, the Optimists, the Kiwanians, the Rotarians, the Jaycees, chambers of commerce, just is not good enough.

No, your big brother is going to be taking care of midnight basketball games, helping people to read, cleaning up the park, teaching English, the local food bank, the YMCA, the Toys for Tots campaign, and Bible school.

So, go home. But we will be sending you, the American taxpayer, a \$7.4 billion bill in the mail, for the tab that has been run up by the volunteer elite.

Mr. Chairman, I urge my colleagues to reject this notion of creating a corps of volunteer elite. If we really want to bring the community together and help our fellow Americans, we should reduce Federal spending, rather than adding to the huge national debt.

Mr. FORD of Michigan. Mr. Chairman, might I inquire how much time remains on each side?

The CHAIRMAN. The gentleman from Michigan [Mr. FORD] has 55 minutes remaining, and the gentleman from Pennsylvania [Mr. GOODLING] has 54 minutes remaining, and the gentleman from Wisconsin [Mr. GUNDERSON] has 23 minutes remaining.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. KLINK], a member of the committee and a cosponsor of the bill.

(Mr. KLINK asked and was given permission to revise and extend his remarks.)

Mr. KLINK. Mr. Chairman, I rise today in strong support of H.R. 2010, the National Service Trust Act.

Like 220 other Members of the House, I am a cosponsor of H.R. 2010. This legislation will help to realize the vision of the President, and many others, of a nation where an expensive education will not dictate the kind of job one must take. Those who choose to can repay their educational debt through service.

This bill will provide opportunity, both to learn and to serve. It will make it easier for young people to afford to choose lower paying public service jobs and create incentives for many Americans to serve their country and their communities. The ultimate result will be a supply of fresh energy in the neighborhoods and new ideas for old problems.

This renewed national commitment to national and community service will benefit local communities and schools, health clinics, and public safety and environmental programs.

This bill will offer equal opportunities for service. It will benefit urban and rural communities, the young and the old, and men and women of all racial, ethnic, and religious backgrounds. I believe it will also promote cooperation in the community and provide participants with a sense of real achievement and civic pride.

I commend my colleagues on the Education and Labor Committee: Chairman MARTINEZ for introducing this bill and Chairman FORD for moving the bill quickly to the floor. I look forward to the National Service Trust Act becoming law in the near future.

I urge all my colleagues to support H.R. 2010, the National Service Trust Act.

Mr. GUNDERSON. Mr. Chairman, I yield 2 minutes to my good friend, the distinguished gentleman from New York [Mr. GILMAN], the ranking member of the Committee on Foreign Affairs.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I am pleased to rise in support of H.R. 2010, the National Service Trust Act, and I commend the gentleman from California [Mr. MARTINEZ] for introducing this important measure. Additionally, I would like to thank the gentleman from Connecticut [Mr. SHAYS] and the gentleman from Wisconsin [Mr. GUNDERSON] for their leadership role on this measure.

As the cost of higher education continues to escalate, the National Service Program has been viewed as one of the better opportunities for young people to fund their education. Students who are graduating with a heavy burden of loan indebtedness will have the opportunity to forgive part of their loans by serving their communities. In addition, this program will allow those not yet in college to earn money toward their education.

H.R. 2010 will benefit both our Nation's youth as well as the Nation as a whole. Under the National Service Pro-

gram, young Americans will have the chance to advance themselves, as they tackle many of our Nation's ills. I strongly believe that our Nation's youth possess the knowledge and energy to work on projects that will combat illiteracy, aid the homeless, and revitalize our neighborhoods.

Mr. Chairman, as we know, the cost of higher education is skyrocketing, placing an enormous financial burden on students and their families. H.R. 2010 allows us to help provide educational opportunities by reducing that financial burden, and, at the same time, allows our young people to help provide unmet needs in our environment, for our human needs, education, and public safety.

Accordingly, as a cosponsor of this bill, I urge its adoption.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Guam [Mr. UNDERWOOD], a valuable new member of the committee.

(Mr. UNDERWOOD asked and was given permission to revise and extend his remarks.)

Mr. UNDERWOOD Mr. Chairman. I rise to express my support for this bill. I am proud to be an original cosponsor of H.R. 2010, the National Service Act. This is a bill that invests in our young people; it is awashed in optimism and believes in the essential goodness of human beings. Edmund Burke once stated, "There never was a bad man that had ability for good service." This bill believes that we have many more good men and women than bad men—but we need to give them increased opportunities to provide service to the community. This bill represents innovative public policy founded on traditional American values of offering educational opportunity, demanding personal responsibility, and making a contribution to the community. This initiative will rebuild America by providing community leadership through a new domestic Peace Corps which brings Americans together to tackle pressing national problems such as unmet educational, environmental, and public safety needs. The bill also supports and strengthens a number of outstanding programs such as Youth Conservation Corps, VISTA, and senior citizens programs.

□ 1520

I am pleased that Guam and other Territories will be active participants in this program. We want to be participants in bridging the gap between generations, between the rich and poor and between ethnic groups and help build a society marked by a sense of community, mutual respect, and service.

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. MILLER].

(Mr. MILLER of Florida asked and was given permission to revise and extend his remarks.)

Mr. MILLER of Florida. Mr. Chairman, I rise this afternoon in opposition

to the National Service trust Act. I think it is important to be very clear about what we are talking about here. This is not an education program nor is it about voluntarism. It is nothing more than an expensive, \$3.4 billion, program and paid service.

At a time when the House Budget Committee predicts that our deficit will run about \$300 billion a year, it is ludicrous to assume that we can afford a program like this. I think we all recognize the value of community service. It is an important part of our national heritage. As someone who has participated in any number of volunteer programs and boards in my own community, I fully understand and share the value and importance of voluntarism. I believe my involvement in community service has provided me with a well-rounded background to be here today. It put me in touch with people from all walks of life in my area. In addition, I have encouraged by own children to participate in community service, as they work their way through college. So, I am no stranger to the value to both the giver and the receiver of volunteer community service activities.

There are already any number of Federal programs supporting community service ranging from the Youth Service Corps to the RSVP Program for senior citizens. The total cost of the existing programs to the Federal Government now is \$1.5 billion annually. So we do not need, nor can we afford to pay for more paid community service.

And, just how is the Federal Government supposed to decide which activities constitute community service? The Act establishes the new Corporation for National Service to dole out federally subsidized compassion in direct competition with the many wonderful, long-established nonprofit community service organizations already meeting many of the needs of our communities. We do not need to create a bloated expensive bureaucracy to provide services our private, voluntary sector organizations are already doing.

In a year when we have not been able to fully fund popular student aid programs such as the Pell grant, why should we take on this liability? The promise that this program will expand education opportunities is a myth. About 25,000 students could benefit from the program in 1994, and that would increase to 150,000 people by 1997—less than 1 percent of the 16 million students currently enrolled in post-secondary education.

The Federal Government currently helps students pay their education expenses through the guaranteed student loan program and through the Pell grant program. Combined Government grants and loan programs serve 6 million students today.

It is rather startling to note that the average cost of the national service program per student, which includes a stipend and other benefits, is estimated to be over \$20,000 per year. But, only

\$5,000 for each year of participation actually goes toward education expenses.

On top of the outrageous costs, participation in the program is not based on need. Efforts in committee to qualify participation were defeated. Financial assistance is given to everyone, including the rich, and takes away funds from those that truly need financial aid.

In short, the national service program is ill-conceived and poorly timed. We do not need it, and we cannot afford it.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut [Ms. DELAURO].

(Ms. DELAURO asked and was given permission to revise and extend her remarks.)

Ms. DELAURO. Mr. Chairman, I want to applaud the President and Chairman FORD and the members of the Education and Labor Committee for advancing a bill that speaks to the best of what our Nation is and what our Nation can be. With national service, we open a new world of hope and potential for a new generation of Americans.

As we look to the future and the challenges we face, two things are certain: We need to come together in common purpose; and we need to maintain the right of each American to a good education.

With a strong commitment to these basic principles we can face the future with the confidence that has always helped us succeed. That is what national service is all about.

At the heart of this bill stands the belief that every young American should be given the opportunity to reach their full potential, while at the same time nurturing the values that have made our Nation great—responsibility, community service, and respect for one's fellow citizens.

This bill promises those who seek it the opportunity to obtain a higher education linked to a higher purpose: Solving our Nation's pressing unmet social needs.

With national service we can rejoin our citizens to their communities, rekindle the bond of common purpose, the belief that each of us has an obligation to help others help themselves, while giving a new generation the opportunity to obtain the education necessary to meet the challenges they will confront as adults.

If we are to succeed in building a well educated, highly skilled work force, we must have an educational system that is open to all, not just to the few who can now afford it. This bill takes an important step in that direction—it tells our young people that they will be given the opportunity to receive a higher education in return for hard work in service to their Nation and community.

The bill says that our Nation is willing to help those who are willing to help their country. In this way, we will build an America that once again un-

derstands that its future is a shared one, held together by a bond of shared aspirations and shared obligation.

I urge my colleagues to support this important legislation.

Mr. GUNDERSON. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HORN].

(Mr. HORN asked and was given permission to revise and extend his remarks.)

Mr. HORN. Mr. Chairman, I rise today in support of the National Service Trust Act, H.R. 2010, as reported by the Committee on Education and Labor. I am a strong advocate of this program and was one of the original co-sponsors.

The purpose of the National Service Program is to provide financial assistance to postsecondary students, of all ages, by utilizing their skills in the community to address unmet educational, environmental, human, or public safety needs. In return for 2 years of full-time service, students who participate in the program will receive up to \$10,000 in the form of an educational grant to be paid directly to the institution which they attend.

I strongly support President Clinton in this bipartisan effort to develop a program that incorporates the spirit of volunteerism in the community with the spirit of discovery that exists in our universities and colleges across the land.

This is not a new idea on our campuses. As president of California State University, Long Beach I stressed community service in my first remarks to the students and the community in the fall of 1970. Over 8,000 students interns and volunteers did service during each year.

Our States, cities, and neighborhoods are suffering from the breakdown of the family structure, the culture of gangs and drugs, and a recession which has affected all of us. This program takes a positive step toward using the resources of students for the betterment of our communities.

In return, participants will not only have made a valuable contribution to their communities, but will also have acquired a unique education which can only be derived from actively giving of oneself to the benefit of others; from learning by doing.

This legislation has bipartisan support. It deserves that support. I encourage my colleagues, on both sides of the aisle, to vote for the National Service Trust Act of 1993.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut [Mrs. KENNELLY].

(Mrs. KENNELLY asked and was given permission to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Chairman, I rise today in strong support for H.R. 2010, the National Service Trust Act. I have long been an advocate of this concept and am delighted the day has come.

The National service goes to the heart of what it means to be an American. It is true our Nation faces a variety of economic and social problems. Yet, all too often we forget that we are still such a fortunate Nation. However, with the advantages and privileges of being Americans comes responsibility.

This bill asks our young people and our seniors to dedicate themselves to a higher standard of excellence. It asks them to respond to this challenge of responsibility, to give back to this great country and to fulfill the promise that is America. As a Member of Congress, as an American, I believe in civic obligation. I believe in helping the less fortunate; I believe in helping each other. And I know there are more like me who believe this as well. We believe in hard work, and equal sacrifice for the common good. These values are key to our stature in the world, our survival, and our future.

There can be no doubt that there is a real need for voluntarism. As we begin the 1990's we face a budget crisis that severely limits the Government's ability to respond to needs. National service asks all Americans, both young and old, to involve themselves in positive activities. By doing so, they help both their country and themselves.

We are entering a period in the United States when we will be called upon to provide additional services. These services, as we know, are costly, time consuming, and require extensive manpower. But we need day care, we need a reformed welfare program, and we need to make health care available and affordable. We can pass progressive proposals that address these problems, but in order to finance them and provide the facilities and people to make them work, we need a pool of workers to draw from. National service gives us that pool.

Mr. Chairman, this measure incorporates much of President Clinton's proposal for a program in which participants who agree to work on community service programs could receive up to \$10,000 to pay for their education. Importantly, these programs will be carried out by already existing Federal, State and local agencies, non-profit organizations, and colleges. The President stressed his commitment to national service during the campaign last year. I commend Chairman FORD of the Education and Labor Committee and its members for their hard work.

I have long supported national service, and have even sponsored national service legislation, and I stand with great pleasure today to support this proposal. This bill signals the renewal of commitment, by both the young and old, to our families, our communities, and our Nation.

Mr. Chairman, I urge my colleagues to join me in supporting the National Service Trust Act.

□ 1530

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. STUMP].

(Mr. STUMP asked and was given permission to revise and extend his remarks.)

Mr. STUMP. Mr. Chairman, I rise in strong opposition to H.R. 2010, a bill to establish a National Service Program. This bill has a superficial attractiveness which fades quickly upon closer examination.

As a member of the Armed Services Committee and the Veterans' Affairs Committee, I am concerned that the nonmilitary National Service Program offers a better level of education benefits than the armed services, and threatens to decimate recruitment.

The competition for the best and brightest of our young people grows increasingly intense because the pool of 18- to 25-year-olds is shrinking at a time when schools, industry, and the military all need to attract qualified new entrants. President Clinton's national service plan adds another competitor whose attractiveness is defined by this legislation.

This competition would only compound increasing recruiting difficulties resulting from a widespread misconception among young people that the armed services are not recruiting because they are being reduced in size. Certainly the numbers of men and women in uniform are being reduced, but the United States will continue to maintain one of the world's largest standing military forces and will continue to rely on volunteers to fill its ranks.

The Army this past spring for the first time in many years had to accept some volunteers who tested low in mental aptitude to meet its quotas. Commanders are concerned, since the Army cannot readily use many of these soldiers on the high technology battlefield. They are unable to master complex weapons systems fast enough to do most jobs. Military recruiters say that the overall quality of recruits remains high for now, but that they doubt it can be maintained with a superior National Service Program education benefit added to the obstacles they already face.

The GI bill provides \$4,800 in education benefits per year for up to 3 years, but the service member must commit to 3 years of service and pay in \$1,200 of his or her own money during the first year of service to qualify for the benefits. Refusal to complete the service commitment is a crime.

Compare this with the national service plan, which would provide \$5,000 in education benefits per year for up to 2 years to students who need not put up a dime, who commit to only 1 year and who can walk away at any time. This stark contrast does not even take into account the fact that a service member faces the dangers, hardships and separations from home which are unique to military life.

Mr. Chairman, the best and brightest will not have any trouble figuring out which is the better deal. For many of them, the education benefit will be the deciding factor. This is especially true because the Clinton administration has simultaneously proposed to increase the up-front pay reduction to qualify for GI bill benefits and to freeze military pay.

The American Legion in a May 4, 1993, letter to Members of Congress, expressed its disappointment and deep concern about the inequities between the national service plan and the GI bill.

It stated in part:

The National Service Plan provides our young people a better option for receiving funding for education than does the current GI Bill for those young people who deployed to the Persian Gulf to support Operation Desert Storm or to Somalia or may possibly be sent on air strikes to Bosnia.

If H.R. 2010 becomes law, the national service plan will siphon off many of the recruits our armed services would otherwise attract. The All-Volunteer Force has achieved the highest quality armed services in history. That quality could quickly be lost and would take years and enormous cost to regain.

Mr. Chairman, I have other concerns as well. How would the Government pay the 5-year cost of \$2.9 billion in Federal outlays for the program? The program's funding mechanism, the Corporation for National Service, is apparently to be placed in the same appropriations subcommittee allocation as veterans, the Environmental Protection Agency, NASA and HUD, to mention just a few. We have no assurance the allocation would be increased by \$2.9 billion, and I doubt additional funding is suddenly going to appear to pay for a new education entitlement. This is precisely the kind of out of control, don't know where the money's coming from spending which got us into the deficit mess we face today.

The first year cost alone for the startup phase of the program would be \$389 million for fiscal year 1994. Some of the money for the National Service Program, if authorized, is likely to come from existing programs. The big question is, Which ones? Not veterans, hopefully, because they are already seriously underfunded, as I pointed out in some detail on June 23, 1993, during consideration of H.R. 2491. To take money from veterans' programs, perhaps those helping Vietnam veterans, to fund the President's national service plan would be especially ironic. Rest assured, veterans' advocates will be watching carefully.

Not only is this very expensive, it is also anything but cost effective. Estimates vary on the per volunteer cost, but most are in the range of \$15,000 to \$20,000 per year. America needs volunteers, to be sure—the old fashioned kind who give old fashioned contributions of time and effort to worthy causes they select. For VA medical centers alone, 94,000 volunteers, who

were real volunteers, performed 14.3 million hours of national service in 1992.

The community services selected by this administration may not be what many of us had in mind. I don't see anything in this bill to prevent Federal funds from being funneled to all sorts of controversial groups, such as those supporting abortion rights under the heading of family planning; those supporting the homosexual agenda under the heading of civic pride; those supporting needle exchanges for narcotics addicts under the heading of AIDS prevention; those supporting condom distribution to high school students under the heading of community health, and on and on.

Finally, Mr. Chairman, as others may have pointed out, this program would not come close to offering every American the opportunity to obtain \$10,000 for college expenses and generous benefits while serving. At its projected peak, it would be open to a select group of only 150,000 individuals. Who would be chosen among an estimated 10 million college age students? We have no idea.

Mr. Chairman, the national service plan advanced by the administration is fundamentally flawed. It discourages military service, its specifics are opposed by many veterans, and it sends the wrong message to our young people about the nature of community service and true voluntarism. It is also overpriced and I urge my colleagues to reject it.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. VENTO].

(Mr. VENTO asked and was given permission to revise and extend his remarks.)

Mr. VENTO. Mr. Chairman, I rise in strong support of H.R. 2010, the National Service Trust Act of 1993.

This landmark legislation will provide the opportunity for thousands of young people to serve their country in return for educational and job training benefits. In the best tradition of U.S. domestic service with VISTA and the international success of the Peace Corps, this new National Service Program will call on Americans to help address unmet environmental, educational, and public safety needs. In the tradition of the GI bill, national service will provide important benefits to help young people pay for their college education or get more job skills. I commend President Clinton and Office of National Service Director Eli Segal for their vision and hard work in developing the National Service Trust Act, and my colleagues, led by Chairman BILL FORD on the Education and Labor Committee, and I urge positive action by the House and Senate on this important initiative.

I am especially pleased that the reported version of H.R. 2010 contains language to establish a Public Lands Corps in the Departments of the Interior and Agriculture. This section is

based on legislation I introduced along with Representative GEORGE MILLER, chairman of the Natural Resources Committee, and Representative PAT WILLIAMS, chairman of the Subcommittee on Labor-Management Relations. I would like to thank Mr. MILLER, Mr. WILLIAMS, and Chairman FORD for their work which led to the inclusion of the Public Lands Corps in the National Service Trust Act.

The Public Lands Corps will help address unmet environmental and conservation needs on national and native American lands while providing young people with new skills training and education gains and importantly, an appreciation of our natural and cultural heritage, and the opportunity to pay back college loans or get job training through the national service initiative. One-third of our Nation is national or native American lands. Our parks, forests, wildlife refuges, historic sites and Indian reservations are experiencing intense use, too often inadequate maintenance and a deteriorating infrastructure. Interior Secretary Babbitt and Agriculture Secretary Espy have both testified about the huge backlogs in labor intensive work on Federal lands and about the opportunities of the national service initiative to address these unmet needs. This new initiative will address real needs that will go lacking if the present status prevails. It will supplement not supplant existing efforts on national and State lands.

The Public Land Corps Act builds on a long and proud tradition of conservation service on Federal lands dating back to President Franklin D. Roosevelt's Civilian Conservation Corps. The CCC enlisted 3 million young Americans in a peace time army to plant trees, fight fires, maintain trails, and build shelters in parks and forests across the United States. More recently, the Youth Conservation Corps in the Departments of the Interior and Agriculture have provided hundreds of thousands of young people with skills and experience while accomplishing valuable conservation work worth \$1.50 for every \$1 spent.

Today the CCC boys, as they refer to themselves, are celebrating their 60th anniversary and the memory and positive impact is still serving represented in the values, celebration, and life long association that these old CCC boys represent.

While the Public Land Corps Act has its roots in this rich tradition of conservation service, it also embodies the most contemporary thinking about national service. All of the provisions regarding length of service, educational benefits, matching funds and nondisplacement of the National Service Trust Act would apply to the Public Land Corps. Like the National Service Trust Act, the Public Land Corps bill employs a nonbureaucratic partnership approach in terms of its organization and administration.

The purpose of the legislation is to give greater authority and flexibility for the Secretaries of the Interior and Agriculture to both participate in the National Service Program and to increase conservation service opportunities on Federal lands outside of the confines of the National Service Program. There is a demand for conservation service opportunities. A recent public opinion survey by the Roper Organization found that 6 out of every 10 Americans would like to volunteer in some sort of environmental protection activity. Existing conservation corps often have to turn away hundreds of participants because of a lack of funds.

The bill establishes a year-round Public Land Corps for 16- to 25-year-olds. Participants would carry out conservation, restoration, and rehabilitation projects on Federal and Indian lands such as tree planting, fire-fighting, trail construction, erosion control, and historic preservation. There clearly is a need for this kind of work. A Congressional Research Service report concluded that there was over 900,000 years of labor intensive backlog work which could be done by the conservation corps in the Departments of the Interior and Agriculture. These are certainly not make work projects, nor are they projects which put existing employees out of work. They are projects which need to be done but which never will be done unless there is a new infusion of labor.

The authority to establish the Public Land Corps is necessary because the current Youth Conservation Corps is only a summer program open to 15- to 18-year-olds and the President's National Service Program is for people 17 and above and is a year-round program. Once the National Service Program is enacted, the Secretaries of the Interior and Agriculture can compete with other Federal and nonprofit agencies for funding and positions from the National Service Trust Program. Common sense dictates that a federally funded national service effort should allow for some portion of the national service work performed to be of benefit to Federal lands which are managed on behalf of present and future generations of Americans. However, the Public Land Corps could also exist outside the confines of the National Service Trust Program.

Last Friday I had the opportunity to work with members of the Minnesota Conservation Corps on the Minnesota River flood cleanup project in my district. I was very impressed with the accomplishments that this Minnesota Conservation Corps has made in its 12-year existence. The Public Land Corps will expand opportunities for the Minnesota Conservation Corps and other State and local corps throughout the country by encouraging the development of contracts and cooperative agreements between Federal agencies and existing State, local and nonprofit youth and conservation corps to carry out projects on Federal lands. This pro-

vision would provide service opportunities to many young people who may not be participating in the full-fledged National Service Program. The past decade has seen an explosion of new State and local conservation corps. Currently, some 25,000 young people are enrolled in 75 youth service programs in 27 different States, and this number continues to grow. These State and local conservation corps provide direct assistance and opportunities for economically disadvantaged populations. Many of these conservation corps are located near Federal lands and would greatly benefit from increased opportunities to carry out projects on Federal lands. State, local or nonprofit organizations would be required to provide a 25 percent match in the form of funds or services for the cooperative agreements authorized under the act.

The Public Land Corps Act has a long legislative history dating back to the early 1980's, when then Congressman John Seiberling introduced legislation to establish the American Conservation Corps. This legislation had strong bipartisan support in Congress but was regrettably vetoed by President Reagan in 1984. Modified versions of this legislation were considered in subsequent sessions of Congress and a small portion of the ACC legislation was included in the 1990 National and Community Service Act. When the 1990 legislation went a long way toward furthering civic responsibility and assisting in the development of State and local conservation corps, the bill did not include a direct role for the Federal lands or the Federal land managing agencies in conservation service programs. This omission in an otherwise fine law would be rectified by the passage of the Public Land Corps Act.

The Subcommittee on National Parks, Forests and Public Lands, which I chair, held a hearing on opportunities for conservation service on February 18, 1993. Witnesses from the National Park Service, the Fish and Wildlife Service and the Forest Service indicated their support for legislation which would give them greater flexibility in their youth programs by allowing older participants and year-round conservation service opportunities. The Public Land Corps Act was developed on the basis of recommendations presented in this hearing, past legislative efforts in this area and consultation with Federal agencies, the National Association of Service and Conservation Corps, the Student Conservation Association and other interested groups. It has the support of all of these organizations as well as the major environmental organizations.

Finally, Mr. Chairman, I would remind my colleagues that today across this Nation are marginalized in our society today, the National Service Program and the Public Land Corps initiative will help provide a means to connect young Americans and to build upon the success and values that still

is alive in the 1930 era CCC boys in the 1990's.

Mr. Chairman, I urge my colleagues to support the National Service Trust Act.

I include for the RECORD a copy of a letter and organizations referred to.

NATURAL RESOURCES COUNCIL OF AMERICA,

Washington, DC, July 6, 1993.

Senator _____,
U.S. Senate, Washington, DC.

DEAR SENATOR: We, the undersigned organizations, members of the Natural Resources Council of America, write to convey our strong support for the Public Land Corps Subtitle within the National Service Trust Act of 1993 (S. 919). This amendment to the Youth Conservation Corps Act of 1970 provides the Secretaries of Interior and Agriculture with new incentive and authority to engage young people in much needed conservation, restoration and rehabilitation work in our national parks, forests, wildlife refuges and other public lands. Moreover, it will ensure that conservation activities on federal public lands are an important part of the national service landscape—a critical component thus far overlooked in the provisions and implementation of the current National and Community Service Act.

The new Subtitle encourages and authorizes the public land management agencies to expand their own youth conservation corps programs and to enter into contracts or cooperative agreements with state and local youth corps and other non-profit organizations to accomplish the substantial backlog of work on public lands. It enables the Secretaries of Agriculture and Interior to apply to the new Corporation for National Service for partial funding of these endeavors and to develop innovative sources of new support.

We believe that the Public Land Corps will greatly increase opportunities for young people to serve their country, while developing an appreciation for the natural environment and their future employment skills. And, of course, their hard work will bring vast benefits to the nation's public lands. Finally, the Public Land Corps complements and in no way duplicates or conflicts with the Civilian Community Corps—a military-style residential youth service demonstration program, established in the 1992 Defense Authorization Act.

We urge you to vote for the National Service Trust Act and to retain the Public Land Corps Subtitle.

The Natural Resources Council of America is an association of over 80 diverse non-profit groups dedicated to the professional management, conservation and protection of the nation's natural resources.

Sincerely,
J. MICHAEL McCLOSKEY,
Chair.

John Herrington, Executive Director,
American Chestnut Foundation.

Charles W. Sloan, President, American
Hiking Society.

R. Nell Sampson, Executive Vice Presi-
dent, American Forests.

Kevin J. Coyle, President, American Riv-
ers.

Betsy A. Cuthbertson, Director, Govern-
ment Affairs, American Society of Land-
scape Architects.

Richard Martyr, Executive Director, Amer-
ican Youth Hostels.

David G. Startzell, Executive Director, Ap-
palachian Trail Conference.

Patrick F. Noonan, President, The Con-
servation Fund.

Rodger Schlickeisen, President, Defenders
of Wildlife.

L. Garth Youngberg, Executive Director, The Henry A. Wallace Institute for Alternative Agriculture.

John Grandy, Vice President for Wildlife & Natural Protection, The Humane Society of the United States.

Macland Sharpe, Executive Director, Inland Walton League of America.

Joan Hatcher, President, Land Trust Alliance.

Ron Tipton, Vice President for Governmental Relations, National Audubon Society.

Paul C. Pritchard, President, National Parks and Conservation Association.

Ginger Merchant, Executive Vice President, National Wildlife Refuge Assn.

James W. Giltmier, Executive Vice President, Pinchot Institute for Conservation.

George Lea, President, Public Lands Foundation.

David G. Burwell, President, Rails-to-Trails Conservancy.

Normal A. Berg, Washington Representative, Soil and Water Conservation Society.

Norville Prosser, Vice President, Sport Fishing Institute.

T. Destry Jarvis, Executive Vice President, Student Conservation Assn.

Steve Moyer, Director of Government Affairs, Trout Unlimited.

Charles Howell, President, Trust for the Future.

Thomas M. Franklin, Vice President for Conservation, The Wildlife Society.

Mr. GUNDERSON. Mr. Chairman, I yield 2 minutes and 30 seconds to my colleague and friend, the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Chairman, I thank the gentleman from Wisconsin for yielding time to me.

Mr. Chairman, I am not afraid to step up to the plate and oppose any President, Republican or Democrat, when I think that he is wrong. I also will not hesitate to step up to the plate and support a President when I think that he is right.

I thank this President and his administration for working with the Republicans on this particular issue. We need to help families whose children want to go on to higher education. Unfortunately, college costs are quite a bit higher than when all of us went. In fact, I did a little checking with my own situation. For myself, I went to a State University, an in-State student, and I paid about \$300 a semester.

Today at the University of Michigan it costs \$4,500 a year, not to include boarding, food, and housing. At Kalamazoo College, a wonderful college in my district, today tuition for a year is \$15,135, and again, room and board is another almost \$5,000. At Western Michigan University, a great State school, again, in my district, the cost for an in-State student is \$7,700 per semester.

Mr. Chairman, these costs have far outpaced inflation. This bill provides a constructive alternative to help ease the burden for the students and their families to cope with the increasing costs. The youth of today are going to need strong skills and an excellent education to compete as future leaders. I know this is a goal we can accomplish, and the legislation we are debating

today goes a long way toward meeting that goal.

Thousands of college students across our land will benefit from this bill, because they will have the chance to better themselves and to better their community. By stressing community, responsibility, and opportunity, all young students can use their energy and talents to make a lasting change in the lives of their fellow Americans.

My Republican colleagues, I would echo the statement of both the gentleman from Connecticut [Mr. SHAYS] and the gentleman from Wisconsin [Mr. GUNDERSON], that this bill really is a Republican bill because it builds upon existing service programs, therefore preventing the growth of a huge Federal bureaucracy. By having a viable and vigorous competition for funds, only the most efficient and productive groups will receive money.

Decisions on what works best will be made at the local and State level, not by out-of-touch bureaucrats or Government agencies trying to impose one-size-fits-all. This act is an effective means to coordinate and expand service programs and opportunities throughout the Nation. It is a program full of diversity and challenge. I hope my colleagues will vote yes on this legislation to promote sound public policy while helping young Americans achieve the dream of a college education.

Mr. FORD of Michigan. Mr. Chairman, I yield the gentleman 15 seconds, and ask him if he would yield to me.

Mr. UPTON. I yield to the chairman, the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, I rise for the express purpose of thanking the gentleman for this fine demonstration of bipartisan concern. Since we come from the same State, I am not out of line when I tell the gentleman that I am proud of him. He has joined our new Member, the gentleman from Michigan [Mr. HOEKSTRA], in demonstrating that we can work together in our State. I thank the gentleman for his fine statement.

Mr. UPTON. I thank the chairman.

□ 1540

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. MENENDEZ].

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Chairman, I rise today in strong support of the National Service Trust Act. This bill represents a real turning point for this Congress and the new administration. It is the fulfillment not only of a promise by the President, but also of the promise that we, as Americans, have made to ourselves and our children: that through hard work, we can make a better life. That is an American tradition. It is the American Dream.

But these days, that is often just not the case. Thousands of students each year work their way through college,

accruing thousands of dollars of debt along the way. After graduation, they can spend years paying off these debts with every spare penny, or worse, defaulting on their loans.

In fiscal year 1994, the National Service Trust Act can help up to 25,000 students go to college in exchange for their work. That means 25,000 more Americans serving America. Twenty-five thousand diplomas in the hands of 25,000 Americans who will be able to make better lives for 25,000 families. In future years, we hope to be able to extend that opportunity to 150,000 students a year.

But this is about more than students aid. This bill emphasizes our new priorities. It brings young Americans face to face with the needs of the country, and asks them to work to meet those needs. It demands responsibility from young people, and rewards those who can rise to the occasion.

Americans have always rewarded hard work and service to country. Millions of American men and women who have served their country in the military have earned money for higher education. The National Service Trust Act would extend that opportunity to thousands more. It is an invaluable opportunity both for the country and for each individual who participates.

Our future as a nation depends on our competitiveness. Our competitiveness depends on our commitment to rewarding hard work and a desire to learn. These are the qualities which define the productive American worker. These are the qualities which we strive to instill in our children. We must not abandon the promises we have made to them and to ourselves. We must not allow our commitment to hard work and education to wane. I urge each of you to recognize this landmark legislation as the fulfillment of our promise to our children and support its passage.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I had a wonderful statement set up here, and I am not going to deprive Members of that because I will put it in the RECORD. But I sat here and listened for a good length of time, more than you usually listen in a debate of this kind, and frankly, I am amazed at what I am hearing.

I am an advocate of voluntarism. I have spent my life working with volunteers. But they were genuine volunteers who volunteered to do something they were not paid for by the Government. I have been so interested in voluntarism, as matter of fact, that I have spent some time studying about de Tocqueville who came to this country to see what it was that was unique about a democracy, and one of the things was volunteers, people who did things in their communities by themselves. But they did not do it because

they were paid for by a Federal program. They did not do it because there was a bureaucracy that decided what they were going to do.

I am amazed at what I am hearing. I am an advocate of voluntarism, but I also have a philosophy, and the philosophy is that we did not get to where we are in the private sector by having a government agency decide what kind of voluntarism we were going to do. I cannot believe it.

I hope the sponsors of the bill will talk a little bit about what the costs will be over time. It is going to be \$7.4 billion the first time, and that is a very small percentage of eligible people. What is it going to cost a little later? Does it take away from other programs? I understand it takes away now from the conventional programs we have.

Where does this \$7.4 billion come from? Do we take it away from Pell grants? I think we ought to talk a little bit about that.

One of my friends mentioned that there is no bureaucracy, that we already have a system to do this. That is a surprise. Where are we going to have a bureaucracy to manage this thing in all of the communities in this country?

Mr. Chairman, I am very much surprised, and obviously I rise in opposition to the bill. It is the perfect example of something that makes a great sound bite on MTV during the campaign, but it translates into terrible policy. It reminds me a little in the West of a guy who was a cowboy who was all hat and no cows, and that is kind of what I think this program amounts to.

I thank the gentleman for his leadership on this issue.

I rise today in opposition to this legislation. This bill is the perfect example of good intentions gone astray.

I don't argue with the goals of this legislation. We all support the idea of voluntarism assisting in higher education—in fact it's been a proud tradition of our country since its inception.

Anyone who has watched the news of the last week knows the American ethic of voluntarism is alive and well. Entire communities have banded together to help their neighbors through terrible circumstances in the Midwest.

The commitment we see during times of trouble can be found in smaller doses in communities throughout America every day. We see it in the soup kitchen lines, hospital waiting rooms, classrooms. Literally everywhere we look in America we can find folks giving of themselves—spending time to help people in their community.

Unfortunately, it's my belief that this bill will undermine that great tradition. It strikes at the very heart of the idea of true voluntarism and service, and at a great cost to the taxpayer.

There are several reasons why I can't support this legislation:

First, the program costs too much: \$7.4 billion over the next 5 years. That's money we don't have.

Second, the idea of a National Service plan ignores the service millions already do on behalf of their Nation. The vast majority of Amer-

icans perform some form of true volunteer work right now, without direct aid from the Federal Government.

A national service plan will be destructive to that volunteer spirit in the long run. Programs that aren't chosen to participate in the national plan will be at a disadvantage. For those that are chosen to participate, the program furthers the entitlement mentality of big government.

I've already received calls in my office from folks who wonder how they can volunteer somewhere for a couple hours a week to pay off their student loan. Instead of reinforcing that attitude, why don't we concentrate on creating real jobs for these folks?

Third, the national service plan is in direct competition for funds with established Federal student financial aid programs targeted on the poorest students. If our goal is to make college more affordable, we can help many more students using the existing programs.

Simply said, this program doesn't deliver what was promised.

At first we heard this program would help students pay for college. Surely there are better ways to do that than spend \$7.4 billion for the benefit of 1 percent of the eligible population.

Then we heard this program would encourage the idea of community service. In reality the program would divide the volunteer community into the haves and the have-nots and undermine the true spirit of service.

This is a perfect example of something that makes a great sound bite on MTV during the campaign, but translates into terrible policy.

This plan reminds me of the cowboy who's all hat and no cattle, and it deserves to be defeated.

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island [Mr. REED].

[Mr. REED asked and was given permission to revise and extend his remarks.]

Mr. REED. Mr. Chairman, I rise in strong support of the National Service Act. Today we have an opportunity to clearly stand behind a fundamental principle in our society, a fundamental principle in our country, and that is opportunity, because this legislation gives all of our people an opportunity to learn and also an opportunity to serve.

It also provides a forum by which we can stress not only the rights we enjoy as citizens, but our responsibilities to reach out and to help other people in our community. That is happening right now across this country.

In my home State of Rhode Island the campus compact is directing college students to go out and serve in the communities to help other people as mentors, to get involved. This National Service Act will provide a more concentrated, comprehensive, and focused approach to those efforts, and it will indeed also complement ongoing Federal efforts to provide assistance, financial assistance to students who seek to better themselves through Pell grants and through Stafford loans, through a range of programs.

So today we have a real opportunity to move forward consistent with the very core values of our society: giving

everyone a chance, an opportunity, not just for selfish interests, but for community service, and not just for self, but for others. This is a wonderful bill and I strongly urge its adoption. And I proudly am a cosponsor of this wonderful legislation.

Mr. Chairman, I rise today in support of H.R. 2016, the National Service Trust Act of 1993.

When I was elected to Congress, I requested a seat on the Education and Labor Committee because I believe improving our country's educational system must be one of our highest priorities. This legislation is an exciting initiative, one which marks a substantial Federal commitment to expanding service and educational opportunity.

Our country has entered a new era, one in which our citizens are concerned about difficult domestic problems—economic performance, violence and drugs, racial tension, and the plight of the underserved. The President's national service bill creates a system of service which builds on the spirit of community service that has multiplied throughout the country in recent years.

Having graduated from the U.S. Military Academy, I certainly recognize the value of service and civic responsibility.

At the heart of this proposal are the dual goals of providing needed services and building an ethic of civic responsibility across socioeconomic lines. When people serve, they make a substantive contribution to their communities and/or underserved areas in addressing unmet needs. And in the act of serving, they often make a decisive difference in their own lives—developing their own knowledge, skills, character, and self-esteem.

As I travel throughout Rhode Island, the various unmet needs in our communities are all too obvious. This legislation will encourage the provision of services in communities which need them the most. Rhode Island has already begun to tap its resources through programs such as the campus compact based at Brown University and the University of Rhode Island. This program is a network of colleges and universities around the country that promotes mentoring programs and supports innovative community service projects. I am also pleased that City Year of Boston will be expanding into Providence next year.

While I support rewarding needed service with educational awards to make college more affordable for thousands of young people, I cannot stress enough that we must not lessen our commitment to the Federal financial aid programs—including SSIG, Pell grants, and Federal guaranteed student loans—that have enabled generations of needy students to attend college. This national service program should not replace needs-based financial aid.

As President Clinton noted in his speech in New Orleans when he unveiled his national service proposal,

"Over the last 10-15 years, the cost of a college education has about the only essential thing that has risen even more rapidly than health care costs." Now more than ever, Congress must increase its commitment to reducing the growing gap between family resources and college costs and to providing equal educational opportunity to all Americans.

This legislation represents one step towards empowering our citizens and strengthening our communities. I urge my colleagues to support this bill.

Mr. MCCOLLUM. Mr. Chairman, I yield 3 minutes to the other gentleman from Rhode Island [Mr. MACHTLEY].

(Mr. MACHTLEY asked and was given permission to revise and extend his remarks.)

Mr. MACHTLEY. Mr. Chairman, I rise today in support of H.R. 2010, the National Service Trust Act.

It is now mid-July and the new graduates all across the country have left their college campuses, eager to enter the work force. But along with their diplomas, many of them will carry a significant financial debt. And let us not forget the students who are not even lucky enough to have that debt—the students who could not even afford to enter college.

The Government will be providing education grants, as well as health benefits and basic living expenses. But this is not a welfare program. Each participant who receives an education grant in this program will be required to serve 1,700 hours of community service. These hours of service will be spent teaching our children, fighting to save the environment, or helping provide shelter to the needy. This program is value received.

We need to pass this legislation to send two messages: First, that our youth will have an opportunity to attend college through meaningful community service, and second, that this Congress is ready to start investing in the long-term success of our Nation.

This bill represents a compromise in the truest sense. Some Members did not want direct lending, so direct lending was dropped. Some Members did not want this to undermine the GI bill, so the voucher amounts were reduced. The National Service Program calls for a maximum \$10,000 for students over a 2-year period. But eligible participants in the military can receive \$15,000 over 3 years, or \$10,500 over 2.

Some Members didn't want a huge Federal bureaucracy in charge of this program, so the Federal bureaucracy was kept to a minimum by giving the States greater roles.

The members of the committee should be commended for making this bill's journey to the House floor relatively conflict-free.

This bill should not be seen as a conflict between military and civilian service or a conflict between Republicans and Democrats. The idea is to work for the good of the community, not to tear it apart.

We've heard other critics of this legislation complain about the cost. But this Government has got to start being able to distinguish between pork and prudence. This plan is an investment in the future of our children and the future of this country.

The National Service Program reinforces the bipartisan belief in personal responsibility—and not Government handouts. It will give students a stake in their future and instill in them a commitment and dedication to their community. The National Service Program is a wise investment, for both the individual and for this country.

Mr. Chairman, I urge my colleagues to join me in support of H.R. 2010.

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York, [Mrs. MALONEY].

Mrs. MALONEY. Mr. Chairman, I rise in support of the National Service Trust Act. I want to commend President Clinton, Chairman FORD, and Chairman MARTINEZ for this visionary and innovative legislation. It would guarantee that the foremost criteria for higher education is one's will, not one's wallet.

The bill would establish an education trust fund and a long overdue domestic peace corps.

□ 1550

By funding higher education, the trust fund would fortify our young people with the skills to compete and win in a global economy. In return, those young people would enrich our communities, our inner cities, our barrios, by tackling problems that we otherwise cannot afford to solve.

This bipartisan initiative would help to solve many local and national problems in a more cost-effective way and rely on locally driven initiatives catered to individual communities across this Nation.

Mr. Chairman, I urge my colleagues to support this bill. It would be the best money we have ever invested.

I thank the gentleman for yielding.

Mr. GOODLING. Mr. Chairman, I believe the delegation from Rhode Island has gone. I just wanted to report to them that the entire delegation from Wyoming is in opposition to the bill.

Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. BILIRAKIS].

(Mr. BILIRAKIS asked and was given permission to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Chairman, today I rise reluctantly to oppose H.R. 2010, the National Service Trust Act.

I say reluctantly, because most of us have participated in true volunteer efforts throughout our lives and we understand their value to our great Nation. Today, millions of Americans contribute to their schools, hospitals, and communities in a variety of ways, all without pay.

Indeed, Thomas Jefferson expressed the American ideal of service when he wrote that, "A debt of service is due

from every man to his country." I do not think he intended this kind of pay for such service.

H.R. 2010 would enable participants to earn educational benefits of up to \$10,000 for 2 years of community service, regardless of financial need. In addition, participants are eligible for a minimum wage stipend and health and child care benefits, placing the cost per participant per year at better than \$15,000.

Mr. Chairman, there are already at least 24 existing volunteer programs throughout six Federal agencies at a cost to taxpayers of \$1.2 billion. During a time in our Nation's history when this Congress is being forced to cut money available for Pell grants, which go to financially needy college students, it seems a dubious extravagance to create a new 5-year, \$1.2 billion program.

I am also extremely disturbed by the negative impact this program could have on programs affecting our Nation's veterans. First, I have been told that the money for this program will come out of the VA-HUD appropriations bill, rather than from the bill funding education programs. This will force the VA to compete with yet another domestic program.

Over the years, the VA budget has been a victim of the budget deficit. Federal spending on veterans' programs when adjusted for inflation has not increased in more than a decade, and the overall share of Federal spending dedicated to VA programs has been steadily decreasing. This year, we have been forced to cut veterans' programs by an additional \$2.5 billion. I fear that adding another major national program to the VA-HUD appropriations bill will compound the funding shortfalls currently plaguing the VA system.

Moreover, many veterans service organizations have expressed strong concerns about the inequities between the benefits paid under the President's proposed national service plan and the Montgomery GI bill. The President's proposal would give education awards of \$5,000 a year to people age 17 or older who perform community service. On the other hand, a person who has served his country under the sacrifices of absences from family, low pay, career interruption, and so forth, and decides to use the Montgomery GI bill receives considerably less for their military service.

The national service plan provides our young people with a better option for receiving funding for education than the current GI bill. Consequently, the national service plan would be in direct competition with the Department of Defense recruiting efforts for highly talented young men and women.

How can our Armed forces attract bright, hard-working individuals if the Government offers an education package for national service that is superior to the GI bill? How can we explain to a young soldier who survived a Scud at-

tack on his barracks in Saudi Arabia that he is not entitled to as good an educational benefit program as a college student who is cutting grass in a State park?

Mr. Chairman, community service is a national tradition, one we should applaud and honor. However, I believe efforts to bureaucratize this American instinct is ill-advised, especially in these tough budgetary times, when other educational programs aimed at needy students are being cut, and so, Mr. Chairman, we must defeat this well-intended but ill-written legislation.

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. RICHARDSON], the former chairman of the Hispanic caucus, and a deputy whip.

(Mr. RICHARDSON asked and was given permission to revise and extend his remarks.)

Mr. RICHARDSON. I thank the gentleman for his authorship of this legislation, and I thank the bipartisan nature of this legislation. I think this is a bill that we are all proud to support amidst all the divisiveness that has occurred this year.

Mr. Chairman, I think credit also should go to Eli Segal, of the White House staff, who performed an excellent job in a bipartisan way, getting the people and ideas together.

I think the compromise was struck with the veterans, with the number of Republicans in this body that makes this legislation probably one that will pass with, hopefully, one of the strongest votes we have had.

It also gives President Clinton credit for starting a new idea, a new idea almost in the vanguard of a Peace Corps, which was started by President Kennedy years ago. This bill has been called the Domestic Peace Corps. I think also it is one of the most important educational bills that we have passed in a long time, providing college tuition in exchange for community service.

We need in this country to increase voluntarism, to give our young people ideals, to make sure they participate in the political process. What we have now is a bill that combines the best of voluntarism and educational experience.

This act promises to boost our Nation's Community Service Corps significantly. Currently, there are 35,000 people working full time in volunteer national programs. Under this proposal, an additional 25,000 individuals could participate in fiscal year 1994 and could expand to about 150,000 by 1997.

Mr. Chairman, this is a good program, a good new idea, a good new program that deserves strong bipartisan support from this body.

This act initiative embodies the new direction represented by President Clinton and the new face of Democrats in Congress. National service underscores the values of family, hard work, and education, as well as a vision of

government which creates opportunity but expects a commitment in return.

By providing educational awards in exchange for participation in national service programs, this act will give hope to our Nation's youth and spur a renewed sense of community across our country. During the past two decades, college tuitions have skyrocketed, saddling parents and children with huge debt, and placing higher education out of reach for a growing number of youth.

It is the middle class, and lower income families, who have had to deplete their savings in order to help their children cover their college tuitions. By offering an educational benefit of \$5,000 in exchange for year of community service, this legislation will make college financially feasible for thousands of American families.

The National Service Trust Act promises to boost our Nation's Community Service Corps significantly. Currently, approximately 35,000 people work full time in volunteer national service jobs. Under this proposal, an additional 25,000 people could participate in fiscal year 1994, and this number could expand to 150,000 by 1997.

Passage of the National Service Act will fulfill President Clinton's pledge to create increased educational opportunity for our Nation's youth, while providing our country with an able corps of community service workers. Finally, this act will serve our Nation's long-term interests by creating a better educated generation of youth. I am proud to lend my support to H.R. 2010 and urge my colleagues to do the same.

Mr. GUNDERSON. Mr. Chairman, I yield 2 minutes to a distinguished colleague, the gentleman from New York [Mr. LAZIO].

(Mr. LAZIO asked and was given permission to revise and extend his remarks.)

Mr. LAZIO. Mr. Chairman, I rise in strong support of the National Service Trust Act of 1993. I have supported the concept of national service since the earliest days of my efforts for this seat and I am proud to be an original cosponsor of this legislation. I believe that the National Service Program will offer educational opportunities, demand personal responsibility, and build American communities by mobilizing citizens to tackle common problems.

Nothing so discredits government, however, as a program that begins in idealism and ends in a bureaucratic nightmare. It will be imperative for those who run the umbrella agency to shut down bad programs fast and build in ways of detecting failure early. It is also imperative that Congress provide effective oversight. I pledge to do my utmost to ensure that the National Service Program is both administrable and accountable.

This program has been carefully designed to ensure its success. Money for the program will originate in a bipartisan Corporation for National Service and assistance will be distributed on a competitive basis. No program will have an entitlement to funding. Moreover, future funding will have to be earned from Congress based on the merits of the program.

I also want to praise the process by which this bill was handled in the Committee on Education and Labor. I am happy to say that the committee was receptive to my concerns regarding provisions for quality management evaluations of national service programs, and I am satisfied that changes adopted by the committee has strengthened the program overall.

I am confident that the National Service Program will rekindle this Nation's commitment to community service and, at the same time, provide much-needed assistance for education and training. The program aims to build a foundation for service among America's youth, inspiring them to serve the Nation and instilling in them the great values upon which this country was built.

We cannot underestimate the amount of hope that is inherent in this bill. I believe it has the potential to provide successive generations of Americans with a richer quality of life by providing better access to educational benefits and exceptional experience that will allow them to better contribute to a better America.

□ 1600

Mr. MARTINEZ. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. STRICKLAND].

(Mr. STRICKLAND asked and was given permission to revise and extend his remarks.)

Mr. STRICKLAND. Mr. Chairman, I support the National Service Trust Act because I believe we have a great reservoir of Americans who want to give of their time and talent in service to our great country.

In recent years we have neglected to attend to many of the real needs of our communities. It has been popular to be self-centered, to be hostile toward those who are less fortunate, and to absolve ourselves of a patriotic responsibility to give ourselves in service to others.

Without question, our country needs citizen-servants at this time in our history.

The facts are clear:

We have an increasingly violent society—we are turning against each other. Greater numbers of our people are incarcerated.

More and more of our children are living in poverty. Can the National Service Act change these awful facts? No. But galvanizing our citizens to care more for each other, providing opportunities for our young people to work for society's greater good, and encouraging an inclusive commitment to national brotherhood will be a step in the right direction.

John Gardner has said, "Some people strengthen the society just by being the kind of people they are."

Mr. Chairman, I believe the National Service Act will result in the development of such citizens. And I encourage my colleagues to support this bill.

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Maryland [Mr. BARTLETT].

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, I rise today in strong opposition to H.R. 2010.

I am an ardent supporter of voluntarism. This bill is not the vehicle in which to promote service.

A volunteer is one who gives of his or her time and energies willingly and without necessarily receiving monetary compensation. This bill, if enacted, would make a mockery of what we call voluntarism.

Today, the Government already spends over \$1.2 billion on 24 existing Federal community service programs. We do not need another, more expensive program. We need to improve and better manage existing programs and not add to the existing Federal bureaucracy.

This legislation is expensive both in terms of actual costs as well as opportunity costs. In terms of real costs, this bill will charge American taxpayers \$7.4 billion over 4 years. It is absurd that in this time of economic crisis that we are even discussing beginning an entirely new program with this high a price tag. There are also opportunity costs to society including the time students lose from learning the skills they will use in their future careers and the loss of the services of qualified students to society.

Also, the bill will only serve 100,000 students. This represents just 2 percent of the estimated 4 million students who are currently eligible for student financial aid. This bill will spend approximately \$15,000 per student without targeting these dollars to students based on financial need.

This bill will be open to abuse. There is a requirement in the bill that grant applicants consult with, and in some cases, receive the concurrence of, labor unions. This provision gives unions a distinct advantage over other applicants and the power to influence the outcome of grants to nonunion applicants. This will create a blatant conflict of interest and lead to potential widespread abuse.

This bill will not "expand educational opportunity, reward individual responsibility, and build the American community together to tackle common problems," as proponents of the bill claim. National service would not, in fact, encourage voluntarism and genuine service, but distort its meaning. This program, unlike the military or Peace Corps, requires no special sacrifice or risk. Rather, it would confer upon its participants the same kinds of public honor, and greater Government benefits that these programs bring about, without expecting the same levels of individual responsibility.

Just as individuals and corporations never have the time and money to per-

form every task that they wish, neither can Government officials, using taxpayers dollars, fix every problem of society. While voluntarism should be encouraged, it should not be a function of the Federal Government. This bill is simply another costly, bureaucratic Government spending program. For America's taxpayers, national service is an expensive venture with few, if any, net gains.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from California [Ms. ESHOO].

Ms. ESHOO. Mr. Chairman, I rise today in strong and enthusiastic support of the National Service Trust Act.

I salute President Clinton, Chairman FORD and the members of the committee for their vision.

We have much to accomplish for our country. There are many discordant notes in our communities today on how best to meet our Nation's many needs.

H.R. 2010 unites Democrats, Republicans, and Independents, because it fuses together education, community service, and responsibility by unleashing the incredible energy and talent of our youth to renew our Nation.

This legislation will give thousands of bright young people a heightened sense of community and enlist them to serve our people and rebuild our communities.

Vice President GORE recently met with future national service leaders at a national service boot camp on Treasure Island in San Francisco. I was inspired by the idealism and the compassion of the volunteers. They have a commitment to service and a unity of purpose that harkens back to the idealism of John Kennedy's Peace Corps.

Many projects in my district were chosen as training sites in this program and have already benefited from the efforts of this prototype.

Imagine this effort on a national scale, 150,000 young people building homes for the homeless, teaching preschool youngsters, acting as mentors and mentors, caring for the infirmed and the elderly and assisting our local police departments.

Clearly the possibilities are endless, and quite simply this legislation makes sense for all of us. It speaks to the best of us and I am confident that this will be the great legacy of the 103d Congress and of our President for generations to come.

I urge my colleagues to support this magnificent piece of legislation.

Mr. GOODLING. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Pennsylvania [Mr. WELDON].

(Mr. WELDON asked and was given permission to revise and extend his remarks.)

Mr. WELDON. Mr. Chairman, I rise with grave concerns regarding this legislation. What concerns me, and I am anxious to see the amendments that are going to be offered later this week and next week, is the prospect of an-

other new Federal program that is going to tell us how to serve our country and create more volunteers.

Now, let me first of all give you my perspective. I was born and raised the youngest of nine children in an impoverished community in this country in Pennsylvania. I could not have gone to college except for student loans which financed my entire education, which I paid back 5 years after I taught school.

I got involved in politics because I was a volunteer in my community. Like my father and my brothers, I was active in the volunteer fire company.

I became the Boy Scout troop committee chairman and served on the Red Cross Board. As a matter of fact, I eventually became the president and chief of the local volunteer fire company, and then went on to become the countywide director of fire training for 78 other fire organizations on Saturdays and weekends, none of this with any prodding from the government, either Federal, State, or local.

I got involved with volunteer efforts here primarily to help those men and women who service our emergency needs all across the country, and 5 years ago formed what is now the largest caucus in Congress, the fire and emergency servicemen's caucus, which works with 30,000 fire and emergency service departments in every one of your districts.

I have traveled to 48 States of the 50 over the last 3 years. And do you know something? I have never heard one of those people ask for this program.

Now, 1.5 million men and women, we heard them mentioned in the flood. They are out there today in that flood in the Midwest. They were in the wildlands fires in Yellowstone, down in Hurricane Andrew in Florida, and every day doing a service, 1.5 million of them, 85 percent of them volunteers serving our country. Have they asked for this? Absolutely not.

What is even worse, were they even consulted? I asked one of my colleagues who is working this legislation if the National Fire and Emergency Services Council was consulted, and he said no.

So here we have people who have been serving this country longer than this country has been a Nation, 280 years, and we did not even talk to them.

We are going to create a program that is going to do what they have been doing for 280 years before this was America, the great Nation, in every city and town in this country.

If we would have listened to these people in their 30,000 departments, we would have heard what they are saying. They are saying, "Don't pay us. Give us the resources we need. Help us buy the fire equipment, the ambulances, the EMT units. We will do the training."

What has Congress done? Well, let me tell you, some of the same proponents of this bill are the same people who gave us SARA-title III and they are

talking today about wanting a new spirit of public service.

□ 1810

What does SARA-title III do?

For those of my colleagues who cannot remember, the superfund reauthorization amendments provide a level of training and resource requirements for local towns that 90 percent of the communities in America cannot fund. That is our commitment to community service. What has happened? Those towns all across America have not been able to recruit volunteers because they cannot train them and they cannot buy the resources to allow them to serve their towns, and yet we are going to create another Federal bureaucracy that these people have not asked for.

My colleagues, I say that listening to the rhetoric on the floor today makes me really wonder what we are all about. Go out and listen to those people who are truly performing American public service, who are not asking for a college education, who are not asking for a \$5,000 contract and benefits, but who want to serve their town and want to do it because it is the right thing to do. That is what we should be focusing on, and this legislation does not meet the mark.

Let us be honest. This is a feel-good, politically correct vote, but it is not going to foster community service.

I would ask my colleagues to rethink this whole issue.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the gentleman from Michigan [Mr. FORD] for yielding this time to me, and I rise today in strong support of H.R. 2010, the National and Community Service Act. I commend President Clinton, the gentleman from Michigan [Mr. FORD], the gentleman from California [Mr. MARTINEZ], and the gentleman from Oklahoma [Mr. MCCURDY] for their leadership on this important issue. President Clinton's vision for the people of the United States includes access to an affordable higher education. H.R. 2010 helps make this vision a reality by offering our citizens the opportunity to serve their communities in return for educational grants.

Mr. Chairman, our colleagues have gone over the provisions of this legislation. I, instead, want to tell my colleagues that I had the distinct honor of welcoming Vice President AL GORE to San Francisco, to Treasure Island, on June 21, to launch the summer of service. The kickoff was truly a celebration. The students who began a week of training for the summer months ahead were alive with hope and enthusiasm in anticipation of the experience before them. These young people will serve disadvantaged children across the country. They will tutor inner city children, work in health facilities for children, rehabilitate and immunize urban children, and they are excited about the challenges they will face.

I wish every one of my colleagues would have seen the enthusiasm and energy present on Treasure Island. I wish my colleagues could all have seen the diversity of the young people from all of the communities represented in our country. I wish my colleagues could have seen them speak with hope and enthusiasm about the opportunity that this legislation carries for their future and the future of our country.

Mr. Chairman, I told them that I would tell my colleagues how excited they were about it and how hard we would work to make this legislation and this vision a reality.

Again, I want to commend the gentleman from Michigan [Mr. FORD] for bringing this legislation to the floor.

Mr. GUNDERSON. Mr. Chairman, I yield myself 1 minute.

(Mr. GUNDERSON asked and was given permission to revise and extend his remarks.)

Mr. GUNDERSON. Mr. Chairman, I only do this because I think it is important that everyone understand exactly what we are talking about here today in this legislation. I say to our good friend and colleague, the gentleman from Pennsylvania, that there is no one in this House who is a stronger advocate for volunteer firemen than he is, but I think it is important to understand the difference between paid voluntarism, as he was describing, and this bill that deals with national service. So, as we go on with the debate, my colleagues, let us understand this is not paid voluntarism. This is not student financial aid. This is national service.

Do my colleagues know what? Every volunteer fire department in America can put together, if they can create a competitive grant that meets a unique, local, national service that can be approved on a competitive peer review based on the amount of money we appropriate here. Then they can apply for that grant like everybody else. But the reason they were not consulted is because we are not trying to design a paid volunteer program across this country. We are trying to design a national service program where we meet unique and critical national and local needs.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Utah [Ms. SHEPHERD], a dynamic new Member of the Congress.

Ms. SHEPHERD. Mr. Chairman, the National Service Trust Act is a bill whose time has come. It will be a bridge that links education and service. Finally, young people who want to serve can complete their education and follow that opportunity by actively participating in service to their communities.

The National Service Program will help Utah's students gain organizational skills while it gives them a sense of their communities and an expanded understanding of the world around them. But that is not all. Communities win, too—by gaining a broad volunteer

base, a well-trained and experienced work force, and citizens who are immediately connected to the community and a lifetime of involvement.

Mr. Chairman, community service is a State tradition in Utah, and the National Service Trust Act embraces and expands this spirit of service. It's not the answer for every student, but for many it will provide the foundation for a lifetime of service—service which will make each of our communities stronger. I am proud to cosponsor this bill and I urge my colleagues to do the same.

Mr. GOODLING. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BOEHNER], a member of the committee.

Mr. BOEHNER. Mr. Chairman, I will be the first one in this body to stand up and espouse the virtues of a national commitment to community service. It is important for all Americans to do community service, including the young. The American people realize this; that's why 80 percent of the American people are engaged in service in one form or another.

In fact, we have all seen across the nation the goodness of America. Whether it's helping in stemming the floods along the Mississippi River or passing out fans to the elderly during heat wave along the eastern seaboard, Americans have shown their willingness to lend a hand to help their neighbor. And this dedication to service is played out every day in every town across this Nation. Some acts are met with much fanfare and notoriety, while others are known only to the person lending the hand and the beneficiary of their generosity. These caring individuals are not paid for their service, and they certainly are not subsidized or caajoled by the Federal Government.

There is not question that all Americans should be a part of this community spirit. Young adults should be encouraged to do community service. And the Federal Government can have a role in this process. But, it should not be by paying the young to do the service. Money cheapens the process. Money makes a mockery of the service. And money is an insult to that 80 percent who do community service simply out of the goodness of their heart.

So, what can the Federal Government do? The Federal Government can lend encouragement, serve as a bully pulpit, convince colleges to get involved in the process by requiring community service in order to graduate. National service does not require a new Federal bureaucracy. It does not require paying Americans to do the service. And it certainly does not require \$4.7 billion from the American taxpayer.

President Clinton should know this. After all, he is a big fan of Thomas Jefferson, who, along with his fellow Founding Fathers, believed in, fought for, and preached all about the need for service by Americans to their country. But I really doubt he expected the Fed-

eral Government to be involved in the process.

There have also been other great Americans who believed in the goodness of the individual, others who believed in the goodness of all Americans. This faith was proven time and again, especially during the 1980's. For example, charitable donations rose dramatically during this period. Measured in 1991 dollars, Americans donated 70 percent more to charities in 1990 than they did in 1977, giving \$128 billion to charities.

Throughout our Nation's history, the American people have always answered the call to aid their fellow neighbor in need. And they did it all without a national service trust corporation.

Mr. Chairman, as one of my colleagues on the Education and Labor Committee put it when we first started considering this bill, the National Service Trust Act is sexy. It looks good and it feels good. But that does not make it good legislation. While it may warm our hearts to think that we are casting a vote to allow students to engage in community service, pay for their college, and get self-actualization, what this bill really addresses is a perceived need. In the process, we're creating more government, spending more money, and deceiving not just the young adults of America, but all Americans as well. Finally, Mr. Chairman, at a time when the Federal Government is \$4 trillion in debt, we do not need to spend an additional \$4.7 billion, and we do not need to create a new Entitlement Program.

Mr. Chairman, I urge a "no" vote on this bill.

□ 1620

Mr. FORD of Michigan. Mr. Chairman, as a reward for his extreme patience, I yield 2 minutes to the gentleman from Arizona [Mr. COPPERSMITH].

(Mr. COPPERSMITH asked and was given permission to revise and extend his remarks.)

Mr. COPPERSMITH. Mr. Chairman, I rise today in strong support of the National Service Trust Act, a bill of which I am proudly an original cosponsor.

I support this bill for several reasons. In the brief time I have, though, let me talk about only two. First, I support this bill because the trust is open to all, regardless of socioeconomic status or age.

This bill recognizes a crucial economic truth. Education is no longer a process that ends at age 16 or 18 or 21. Instead, it must be now a continuing renewal and refreshing of skills our citizens need to compete in the world economy. Second, and even more importantly, this bill rejoins two concepts that have become separated, to the great detriment of our society. This bill links rights and responsibilities once again.

National service will provide a vital opportunity for our citizens to improve

themselves, giving them the skills they will need to compete in the world economy; yet it will also require from them the equally vital obligation to repay the country and the community that provide that opportunity. Responsibility, opportunity, and community are the principles behind the National Service Trust Act. If our citizens will invest in their communities, our country will invest in them.

Mr. Chairman, I urge my colleagues to support this bill, and I thank the most courteous gentleman from Michigan [Mr. FORD] for yielding time to me in recognition of my patience.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Massachusetts [Mr. TORKILDSEN].

Mr. TORKILDSEN. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise to support the National and Community Service Act, of which I am glad to be an original cosponsor.

One key element of America's greatness has always been community or volunteer service. Whether responding in time of disaster or everyday need, Americans have come through for their fellow Americans, and for people throughout the world. President George Bush sought to recognize the commitment of some of those Americans with the 1,000 Points of Light program.

Today we have an opportunity to encourage young people to become involved in community service, both for the benefit of their communities as well as allowing them to defray some of the cost of a college education.

This program will pay a stipend of 85 percent of the minimum wage for participants, plus funding to defray college costs. Eighty-five percent of minimum wage is not a lot of money, and coincidentally, it is the same amount that some have advocated for a training wage for young people.

Critics say this program will only help a few individuals deal with the cost of a college education. They are correct. We have a deficit, and we do not have the money to make this program universally available. But is it not better that we help some students with the cost of college education, even if we cannot help every student? And while we are helping some, is it not a positive step that we are encouraging community service?

The success of this program cannot be measured solely by the community work done by those in the program, or by the number of students who will only be able to attend college because of this program. The real success of this program can only be measured by the volunteer work that participants do long after they have left the program.

I strongly believe Government does not have all the answers. Much of what is right with this country has little to do with Government at all. If we can

encourage just a few young people to look to themselves to help their communities, and not look to the Government to solve every problem they face, then we will have indeed accomplished something significant.

I urge colleagues to support this effort to help a few students deal with the cost of a college education, and to encourage all of us to volunteer to help in our cities, towns, and neighborhoods.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. ROEMER], a member of the committee and a cosponsor of the bill.

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Chairman, the United States has a long and rich history of service by this country and of the people to this country as well. De Tocqueville in his great treatise on "Democracy in America" talked about what distinguished America from other countries, and he mentioned service to one's country. Presidents have followed that advice all through the decades over 200 years, and we have come up with the Civilian Conservation Corps, we have come up with the GI bill, and we have come up with VISTA and the Peace Corps. And I might say by the way, Mr. Chairman, in terms of the GI bill providing educational assistance for bearing arms, what we are saying with this bill is that you will get educational assistance for lending a hand to others.

I salute President Clinton for the new spirit that he has engaged in as a new Democrat with this legislation to open up education to more and more Americans. And I want to make clear what this bill is not. It is not more bureaucracy because it plugs into existing systems like the University of Notre Dame in my community.

It is not voluntarism. It is promoting service, public service, career service, getting people into teaching and health care, and it is not, as it has been referred to by some Members on this distinguished floor, raking leaves. We are talking about helping the drug addicts in desperation, we are talking about helping the dying in health care, and we are talking about helping the dropouts in our educational system.

Mr. Chairman, I urge my colleagues to support this good legislation for America.

Mr. Chairman, I rise in strong support of H.R. 2010, the National Service Trust Act. The purpose of this legislation is to enhance opportunities for national and community service and provide educational awards to persons who participate in such service.

During his campaign, President Clinton talked about changing the direction in which our country has been going for a long time and moving toward a new direction. This legislation will help move our country in a new direction by renewing America's commitment to community service while at the same time

help to make the cost of college education more affordable for our young people.

Service to country has a long history in the United States. In the 1930's President Roosevelt established the Civilian Conservation Corps which enabled millions of young people to restore the environment. In the 1960's, the Peace Corps and VISTA grew out of President Kennedy's challenge to Americans: "Ask not what your country can do for you, ask what you can do for your country."

By providing educational opportunities for an entire generation of young Americans, this proposal would go far to promote the spirit of community service and social responsibility that created the framework of more than 200 years of American success.

If enacted, this bill would do for America in the 1990's what the GI bill did in the 1950's. Only this time, instead of receiving educational assistance for bearing arms, young people could earn college money by lending a hand in the areas of unmet needs in education, public safety, and the environment.

Too often, the costliness of higher education prevents many Americans from attending college or receiving additional job training. However, under the National Service Trust Act, individuals over age 17 could receive up to \$5,000 a year by volunteering for programs like those at the University of Notre Dame's Center for Social Concerns. The center and its more than 1,500 participating students provide a variety of services in South Bend, IN, which include tutoring, working with the handicapped and senior citizens, and staffing a shelter for the homeless.

The strong dedication to these activities leaves a lasting effect on both our communities and the students who take part. In fact, ten percent of Notre Dame's graduating seniors build on their social consciousness after college by devoting their professional lives to organizations like Holy Cross Associates and Teach for America. They teach in inner-city schools and on Indian reservations; they help drug users overcome their addictions; they give aid to battered women, and assist in rehabilitating convicts so they may again become contributing members of our society.

These young Americans demonstrate that monetary concerns and financial gain are not the only factors that determine their career paths. Often, they hold a fundamental conviction that they should return something to a society that has been rewarding to them. We need to continue to promote young people's desire to give back to their country, and this legislation would allow millions of young Americans the opportunity to act on their beliefs.

And let us never underestimate the impact that charitable service has on our Nation's communities. In the words of Father Edward Malloy, president of the University of Notre Dame:

The impact is not always easily measured but is often displayed in intangibles like community spirit and hope. The true epiphany for many students . . . is that the community often gives as much to those who serve as it receives.

Mr. Chairman, as a member of the Education and Labor Committee, I know that this legislation will open up educational opportunities for millions of Americans while fostering community service and goodwill throughout the Nation. The National Service Trust Act will leave behind a valuable legacy as America

moves into the 21st century, and I hope my colleagues will join me in support of this bill.

Mr. GOODLING. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BUYER].

Mr. BUYER. Mr. Chairman, actually, I am glad to have followed my colleague, the gentleman from Indiana who just spoke. We have, both of us, shared the northern part of Indiana, but I know that the people of Indiana are not that much different in South Bend than they are in Kokomo or Logansport or Peru or other parts of northern Indiana. I have visited 21 town meetings in 20 counties throughout north central Indiana, and the theme of what they talked about is a lot different from what I just heard from my colleague.

The people of Indiana have consistently been like other people throughout this country who continue to do more with less. They talk about national service, and I heard the gentleman's response about the voluntarism aspects and also about the GI bill.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. BUYER. Yes, I am happy to yield to the gentleman from Indiana.

Mr. ROEMER. No, I did not say, voluntarism. What I said was service to the country, and that the two should be very distinct and separate. Voluntarism is one thing that we are noted for in this country, but service is what this bill is about.

Mr. BUYER. I will stand corrected, then.

Mr. ROEMER. All right.

Mr. BUYER. Mr. Chairman, I reclaim my time.

Mr. SOLOMON. Mr. Chairman, will the gentleman yield?

Mr. BUYER. Yes, I am happy to yield to the gentleman from New York.

Mr. SOLOMON. Mr. Chairman, I know the gentleman is a veteran of the gulf war, and I used to be the ranking Republican on the Committee on Veterans' Affairs. I just want to remind the Members of what a great President named Ronald Reagan used to say: "Here we go again." Another entitlement program. And make no mistake about it, I say to the Members, this is an entitlement program.

I was shocked when I was sitting in my office a few minutes ago reading the report on the VA, HUD, and independent agencies appropriations bill, and I came across a part that says, "National Service Initiative."

□ 1630

It says 1993 appropriation, and the space is blank. No money. And it goes on and on and on and on.

My point is this: For years we have robbed the veterans hospitals and veterans programs in this country, and here we go again—\$7.4 billion in the next 5 years to fund this bill and we cannot even staff our veterans hospitals, 174 of them, and dozens and dozens of clinics in all of our districts.

Where are we taking money for this bill from? Not out of education and whatever else, but out of veterans program again. When is this going to stop?

Mr. Chairman, every Member in this building ought to vote down this bill. I hope every veteran in this country is listening and will write all Members to oppose this bill.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will advise those who are in the gallery that they cannot express any manifestations for or against any proceeding that is taking place on the floor.

Mr. BUYER. Mr. Chairman, reclaiming my time, when the gentleman talked about the cuts in the VA, I have tremendous concern about this national service plan and its effect upon recruitment, not only of the National Guard, but of the reserves and the active force, the tremendous impact that this is going to have over the long period of time.

True, we can talk about the dollars here in the short run, but we are talking about \$7.4 billion to 1997 and the growth of a new entitlement bureaucracy beyond that. It will have a tremendous effect upon the military, and we ought to listen to veterans organizations out there, like the American Legion, who have spoken very strongly on this issue.

Right now, when the manpower pool is shrinking for recruitment and the quality has started to decline, we should not be turning our back on that pool. We need to be able to recruit that quality of individual into our force.

Have we stopped to ask about the detailed effects the program is going to have on the military, and will it affect the recruitment? The GI bill provides \$4,800 a year for up to 3 years, compared to national service of \$5,000 per year up to 2 years. It does not take a brain surgeon to understand that this 18-year-old out there can get some benefit or an entitlement without the risk of military service.

Mr. Chairman, we should be analyzing the present pilot program. We should allow it to run its course and then analyze it before we jump into a new bureaucracy.

Early when I opened this up I talked about the people of Indiana. When I talked about the people of Indiana, I mentioned that because when the President came into this body and spoke during his State of the Union Address, he talked about shared sacrifice, and America was prepared to respond to this President. He talked about shared sacrifice. But part of the confusion he left with America is also with not only the greatest tax increase, but all this new spending, new spending for more entitlement programs.

Mr. Chairman, that is what America is saying no to. They have sent a message overwhelmingly to this body to cut spending first; streamline Government before you ever increase taxes. And what are we doing here again

today? Creating new bureaucracy and more Federal spending.

Mr. Chairman, we need to listen more to the American people. Washington is not the tail that wags the rest of this country; the country is the dog that wags Washington. This town has got it mixed up.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BECERRA], a member of the committee.

(Mr. BECERRA asked and was given permission to revise and extend his remarks.)

Mr. BECERRA. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I am very proud of our President today and very proud as well to be a co-sponsor of this legislation.

Last year President Clinton challenged all of us as Americans to serve our country. Well, today President Clinton, through this legislation, has provided us with the leadership, the inspiration, but, most importantly, the mechanism for us to serve.

In National Service, what President Clinton is doing is investing in America. I believe that is what we should be focusing on, the fact we are investing in our people.

We are not just spending this money. This is an investment. He recognizes that this country's most valuable resource is its people. He also recognizes that the most precious of those people is its youth.

National Service is open to all, young and old, rich and poor, rural and urban. National Service is there for your brother, for your mother, for your daughter, or for your grandfather.

Who benefits from the services of these people? National Service benefits children through child care, gang diversion, tutoring; it benefits the elderly through hospice care; it benefits our neighbors through the police Explorer programs that it will fund, through the gang diversion and neighborhood watch programs that it will help to create; and it will benefit our environment. But most of all, it will benefit all of us, because we will be providing a service to these youth or the elderly to work and provide a service and ultimately to be able to go on and get a college degree and help us as productive members of our society.

With the cost of college education exploding in some cases to more than \$100,000 to receive a 4-year degree, national service is a fantastic investment. It provides a 1-year \$5,000 stipend, or a 2-year \$10,000 stipend, plus an annual wage of \$7,400. That is 15 percent below the minimum wage, and it is only 85 percent of what the Federal Government would provide.

Mr. Chairman, this is an investment we must all take advantage of. I urge Members to support this measure.

Mr. GUNDERSON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia [Mr. LINDER].

Mr. LINDER. Mr. Chairman, I rise today in strong opposition to the Na-

tional Service Program. At a time when Congress is fighting to reduce the Federal deficit, rein in Government spending and reduce Federal bureaucracy, I find it ironic that we are on the verge of implementing a massive new entitlement program which will cost American taxpayers more than \$7.4 billion over 4 years.

Mr. Chairman, we must ask ourselves, is it fiscally responsible to implement a new entitlement program? The Federal Government already has at least 23 Federal programs that support and provide for community leadership with a combined appropriation of \$1.3 billion and already administers student aid programs which provide assistance to 5 million students. If H.R. 2010 is implemented it will only provide assistance to 3 percent of those students who are currently eligible for student aid at a cost of \$22,667 per student annually. Rather than creating a new entitlement program which will assist only 100,000 students when fully implemented, we should look toward fully funding Federal student aid programs which are already in existence.

As a member of the House Veterans' Affairs Committee, I am also gravely concerned with the detrimental affects the National Service Program will have on this Nation's armed services' recruitment efforts. Currently, the GI bill offers \$4,800 per year for up to 3 years in education benefits to service members who commit to 3 years of service and contribute \$1,200 of their own money. Compare this to the national service plan which will provide a \$5,000 voucher each year for up to 2 years, health care and child care benefits in exchange for 2 years of community based service. It does not take a genius to figure out which program is a better deal for students.

Mr. Chairman, the national service plan, although well-intended, is bad legislation. It is expensive. It duplicates current Federal programs and has the potential of severely hampering the recruitment programs of the armed services. I urge my colleagues to oppose H.R. 2010.

Mr. FORD of Michigan. Mr. Chairman, could Members be advised how much time remains on each side?

The CHAIRMAN. The gentleman from Michigan [Mr. FORD] has 23 minutes remaining, the gentleman from Pennsylvania [Mr. GOODLING] has 23 minutes remaining, and the gentleman from Wisconsin [Mr. GUNDERSON] has 9½ minutes remaining.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. FARR].

□ 1640

Mr. FARR. Mr. Chairman, I thank the gentleman from Michigan [Mr. FORD] for allowing me to speak briefly on this issue.

I rise in support of H.R. 2010, to implement President Clinton's National Service Trust Act.

It was 30 years ago this year that as a young graduate of college, I responded to my President's call of "Ask not what your country can do for you but what can you do for your country." I joined the American Peace Corps and served 2 years in South America.

That experience gave me an opportunity to learn another language and another culture. I lived as a minority in another land. I learned to focus on the unmet needs of that Third World country, the unmet needs in education, the unmet needs in health care delivery, the unmet needs in the lack of environmental remediation, and the unmet needs in public safety.

What I saw in South America 30 years ago I now see in my own country back home. We have unmet needs in all of those areas, and the President has suggested and Congress is considering enacting legislation that would allow people to join national public service.

This is not an expenditure program. This is a program to do without having to spend a lot of money, to involve people in what they do best, and that is giving of themselves to help others.

H.R. 2010 opens up that opportunity for service to all ages. I might remind those who are critical of this program that the Peace Corps also gave a monthly allowance and a stipend, when participants left the Peace Corps, just as this program does.

Those who critique this bill and critique the cost, I believe, are the ones who know the cost of everything and the value of nothing.

I urge support of this legislation. I think my colleagues will live to celebrate it.

Mr. GOODLING. Mr. chairman, I yield 2 minutes to the gentleman from Washington [Mr. KREIDLER].

(Mr. KREIDLER asked and was given permission to revise and extend his remarks.)

Mr. KREIDLER. Mr. Chairman, this week we will vote on the National Service Act. This legislation seeks to promote community service, volunteerism, and higher education—goals that we all support wholeheartedly.

But the reality of America today is that we must carefully choose among the goals we support and the resources we commit to them. That is why I must vote against this bill. To put it simply, we cannot afford this program at this time. The first phase will cost nearly \$400 million in fiscal year 1994 to serve 25,000 students, yet there has been no proposal about how to pay for it. Does this mean these funds must come from other, equally worthy, and already proven programs? Programs that already encourage community service and student aid? In the current budget crisis, there simply is no money available for such an experiment, especially when there are already several successful programs promoting these goals.

If our goal is to encourage volunteerism, then let us increase funding for the programs we already have—the

Peace Corps and VISTA, for instance. If we fully funded them, would we really need a new National Service Program? And if our goal is to encourage higher education, then let us increase grants and loans to help students go to college. It is estimated that each National Service participant could end up costing the Federal Government \$15,000 per year. Is that really the best, wisest, most cost-effective use of this money? That money for one student alone could provide several other students with Pell grants or guaranteed student loans.

I favor loan forgiveness where people go to work in underserved areas and fields. Perhaps we should expand some of these programs to target specific problems, instead of creating a new bureaucracy. I favor the idea of young people giving something back to their communities, but why only this group of people, why not all youth? Most important, I favor making higher education more accessible to more people, and I do not feel this program adequately addresses that goal.

I understand why this proposal is so important to the President. Who among us who came of age during President Kennedy's administration does not endorse the ideal of service to the community? But I have more questions than answers about what this bill is, and whom exactly it would serve. And I have more doubts than certainties about the wisdom of spending this much money on a project whose mission and methods are vague, duplicative, and costly. In the past few weeks I have cast a number of tough votes—against funding for the space station, the superconducting super collider, and other projects. These projects are worthwhile too, but not today, not with our deficit. This is not an easy vote for me either, but it is one I feel must be made.

The bottom line, Mr. Chairman, is that this program is expected to cost several billion dollars each year when fully implemented. Soon, conferees from both bodies will be looking for funding for childhood immunizations, for family preservation, and childhood hunger. These are programs we know are urgently needed and cost-effective. This is no time to create another program whose goals are unclear, and whose funding is nonexistent.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. GUTIERREZ].

Mr. GUTIERREZ. Mr. Chairman, I am happy to join this important debate today—a debate that I believe centers on the idea of priorities.

And this bill tells me that we are beginning to put our national priorities back where they should be—on education, on community service, on building a better America for all of our people.

I congratulate our President for promoting this outstanding piece of legislation.

I encourage this body to adopt the spirit of volunteerism and responsibility—this new spirit of community—as a top priority in our Nation.

National service—the spirit of exchanging our labor to better our community while still helping ourselves—should become the new American spirit of the 1990's.

And it is not only a spirit of community that commends this legislation, it is a spirit of innovation, of problem-solving. It is a spirit that says we will find a way, in spite of budget and deficit difficulties, to put people to work to solve our problems.

Some voices today rise and suggest we find ways to limit this initiative—that perhaps we are serving too many people, or the wrong people, or that they are doing the wrong work.

I suggest that we can never allow enough Americans to serve their community. So instead of debating limits on this bill, let us all decide today to work together to find ways to expand it.

This bill embodies so many aspects of common sense that this body is usually lacking. It is fiscally responsible. It will be effective. It serves people who need help most.

So let us not criticize, let us praise our President for this effort. I urge my colleagues to vote "yes" for a new community spirit, vote "yes" for national service.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Chairman, I rise today to say that this bill is a perfect example of what is wrong with Congress. Here we are spending money we do not have on a program we do not need.

Let us ask ourselves several questions before we create another new multibillion-dollar Federal program. Does this duplicative existing programs? The answer is clearly "Yes". There are over 24 national service programs spending in excess of 1.2 billion Federal dollars each year.

Then what makes this program different? Well, this is a new concept—national service with perks, benefits, guaranteed cash payments, health care, and educational benefits that exceed those available to veterans and even our poorest students. This proposal gives a whole new meaning to national public service.

This is a prime example of what is wrong with the philosophy of this Congress and this administration. They continue to believe big Government programs work best. Pack the Federal rolls. Spend now, think later.

During the past weeks, I have talked to dozens of graduates from high schools and colleges. You know, I believe they are much smarter than most of the leaders of this Congress and this administration.

Not one of them said I can't wait for this new Government program to get started. Not one of them said, "I look

forward to having a chance for a make work position in the public sector."

You know what they said? "I want a real job. I want to work or have an opportunity to enter the business or profession of my choice." They want an opportunity to succeed in the real world.

Mr. Chairman, I say to my colleagues I am afraid that with this proposal before us today—we are not helping to fulfill dreams—we are creating another nightmare.

Mr. FORD of Michigan. Mr. Chairman, I reserve the balance of my time. When others have finished, I reserve the right to finish debate.

Mr. GOODLING. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding time to me.

I rise in opposition to this bill. If we went to the American people with the proposition that in order to solve our problems in this country what we should do is create 25,000 new Federal employees, my guess is that most of the American people at the present time would look at us and laugh. But that is exactly what this is.

I do not care what title we put on the bill, what we are doing here is we are creating 25,000 new Federal employees. These are a rather interesting group of new Federal employees we are creating. We take them outside of the civil service system.

What does that mean? That means that we are moving beyond the civil service system so that we can assign them perhaps politically, 25,000 new Federal employees that are now going to have political positions in communities across the country. And then beyond that, what we do in the bill is we say, "And, oh, by the way, we are not going to pay them the regular wages. What we are going to do is we are going to pay them a subminimum wage."

□ 1650

What we have now is 25,000 new Federal employees, assigned politically across the country, all being paid subminimum wages. I am not so certain that the American people see that as being something which is going to contribute to the national good. In fact, I think most people see the big Federal Government as part of the problem, if not the problem.

The American people look at thousands upon thousands of Federal employees across the country who seemingly have positions that are supposed to be helping, and yet they do not see the communities getting better. What is the solution that we propose here? To add 25,000 more people to that number?

I would suggest that we would much better put our money to work by reducing the deficit, by reducing the debt, and by doing those things that get the economy moving to produce real jobs, rather than creating 25,000 new Federal employees.

One more thing. Where is the money going to come from for these 25,000 new Federal employees? It is going to come out of the hide of the veterans, out of the hide of our housing programs, and out of the hide of our science and high-technology programs, because that is the account into which they have shoved this money. This committee decided they did not want the account that is in the education field to govern this money. Instead, they put it over into the account that takes the money out of veterans, out of housing, and out of science and high-technology programs. We are going to have 25,000 new Federal employees that are going to be undermining major efforts in this country to do something about moving the economy forward. I do not think that is much of a bargain. As a matter of fact, I think that is a pretty bad deal. We ought to reject this bill. I thank the gentleman for yielding time to me.

Mr. GUNDERSON. Mr. Chairman, I yield myself 1 minute to respond to my good friend, the gentleman from Pennsylvania.

Let me see if I can try to correct all of this. The gentleman says we have created 25,000 new Federal employees. What we have done is, we have created for the opportunity, through competitive grants, of up to no more than 25,000, and we have eliminated the entitlement, which everyone was concerned about beforehand.

Second, he says we have created something outside the Federal civil service. Yes, we did that. That was the second concession to the Republicans, because we did not want to create a new permanent Federal work force, so we created the recognition that this was a unique individual who, yes indeed, would be working for the Federal Government, but for 1 or 2 years at a maximum; would not be anything close to a permanent employee.

He says they will be politically appointed. On that one, he is just wrong, because one of the other concessions that the President made to the Republicans was to guarantee that the boards that would review all these competitive grants would be balanced between political parties, so we have made sure that there will not be partisanship in any way involved in the decisions of who does and does not get these grants.

These are just some of the many reasons why a number of us Republicans, working in good faith through the administration, have found what we think is a fair political compromise.

Mr. FORD of Michigan. Mr. Chairman, I have no further requests for time, and I reserve the balance of my time.

Mr. GOODLING. Mr. Chairman, I yield 4 minutes to the gentleman from Florida [Mr. STEARNS].

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, I rise in opposition to H.R. 2010, the National

Service Trust Act of 1993. I oppose this bill not because I don't believe in voluntarism or the need to help our communities in despair.

To the contrary, while the goals of this legislation are well intentioned, it is the means to achieve those worthwhile goals that I find great fault with. In looking at page 87 of the report from the committee, I reviewed the goals of the act. Three quarters of the way down on the page, I read those goals: and I quote:

This act has two central goals: (1) to benefit communities by meeting their unmet environmental, educational, human and public safety needs; and (2) to enhance the lives of participants by enabling them to develop a service ethic, strengthening their bonds to their communities and country, improving their skills and, on many cases, providing educational awards.

Now I ask, just before this past recess, did the House not just pass the Labor, HHS, and Education appropriations bill which funds the aforementioned goals? And when we take up the interior appropriations bill later on this week, are we not going to address some of these goals as well?

Where is all this money coming from? I hear a lot of hollering from my friends that this is the first President that is truly committed to cutting the national debt and reducing the deficit. Well, I ask again, where are we getting the \$7.4 billion over the next 4 years to pay for this act? Where?

In hearing my colleagues talk in favor of this bill, it almost sounds like we have to bribe our citizens to be patriotic and useful before they'll consider serving our country. If you are truly committed to helping our students who desire to attend college yet can't afford to go, then I say let us improve the dollars going to Pell grants and Guaranteed Student Loan Program recipients.

I really find it hard to believe that morale and patriotism has sunk to such a low, that our country requires a whole new massive Federal spending program to entice our young to be productive members of our society.

I also find it highly objectionable to the provision that requires grant applicants to consult with, and in some cases, receive the blessing of labor unions. Are we telling our teenagers who want to go to college that "Here's the ticket to an education, go through this national volunteer program, but, whoaaa you had better check with the union because they might not approve of your grant application." So now we have a young citizen who has gotten all excited about going to college, volunteering for his country, but now he cannot do all this because the union does not endorse it. So instead of fostering all this good feeling we are trying to do here, we now have a dejected, unpatriotic teenager. I understand that the local unions do not want to displace local union workers. But frankly, this gives unions a distinct advantage

over other applicants and power to influence the outcome of grants.

Mr. Chairman, I hold a letter from Roger Munson, national commander of the American Legion. In his letter, he points out the significant inequities and fundamental unfairness between the benefits paid under this bill and the Montgomery GI bill. I quote from his third paragraph:

The national service plan provides our young people a better option for receiving funding for education than does the current GI bill for those young people who deployed to the Persian Gulf to support Operation Desert Storm or to Somalia or may possibly be sent on air strikes to Bosnia.

I find it of some concern that today, July 13, 1993, has been designated as "Cost of Government Day." The combined cost of State, local, and Federal Government through taxes, spending, and Government regulations has soared through the roof. And here we are today, about to add another \$7.4 billion to that figure.

This bill is seriously flawed and needs to be reexamined before we ask the taxpayers of this country to foot this bill. I ask my colleagues, is now the time to start another Government program? Doesn't the deficit matter? The long-term stability of this Nation depends upon our habits, Government controlling its profligate spending habits. We have not reduced spending to pay for this program. I urge my colleagues to vote "no" on passage of this bill.

Mr. GUNDERSON. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Connecticut [Mr. SHAYS], who in my opinion is the Republican Member of the Congress who has been more dedicated, worked longer and harder on this legislation, than anyone else.

Mr. SHAYS. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong support of the President's National Service Trust Act of 1993. There are good Government initiatives and there are bad Government initiatives. This happens to be an extraordinarily good initiative that is deserving of the bipartisan support it has received.

I want to thank both the chairman and ranking member of the Committee on Education and Labor for yielding 30 minutes to the Republican Members who support this legislation, and thank the President and the White House staff, particularly Eli Segal, for reaching out to both sides of the aisle in helping to draft this landmark legislation.

The chairman, the gentleman from Michigan [Mr. FORD], the gentleman from Oklahoma, DAVE MCCURDY, the gentleman from California, MARTY MARTINEZ, all deserve great credit. So does the gentleman from Wisconsin, STEVE GUNDERSON, and the 18 other Republican cosponsors of this bill.

As a former Peace Corps volunteer, I get down on my knees, figuratively, to President Kennedy and the 87th Con-

gress, for establishing the Peace Corps. The Peace Corps has made a tremendous difference in the lives of the volunteers who served, and it has made a tremendous difference in the lives of the individuals who received the benefits of their service.

I see the President's National Service Trust Act as having far greater impact than the Peace Corps ever had. It is a bill every Republican should be happy to support, because it is a bill that was drafted by Republicans and Democrats. It was a bill intended to deal with the concerns of Republicans and Democrats.

□ 1700

So I am not surprised that Republicans should want to support this bill. The educational grant was lowered because Republicans and veterans were concerned that the education benefit was too competitive with educational benefits under the GI bill. It is not now.

This bill is not an entitlement, and I am absolutely amazed that colleagues who have been here so long would tell this Chamber that it is an entitlement. We are voting today on an authorization bill. There will be a specific appropriation bill that follows, and that bill will state exactly how many positions will be funded and how much money will be allocated for these positions. An entitlement? No way. It is an authorization bill with an appropriation to follow.

And the bill is decentralized. My God, this is something Republicans have asked for in every piece of legislation that comes before us. It is not a mammoth government program emanating out of Washington. This is a decentralized program. It is designed much the way the Corporation for Public Broadcasting is designed with significant local and State control. Two-thirds of the funds will go to State organizations.

So I look at this bill and see the educational grant has been lowered to deal with legitimate concerns. The program is not an entitlement but an authorization with a subsequent appropriation bill. And further more the program is decentralized. Isn't this what Republicans want in a bill and Democrats as well?

Then I think of the kind of programs we are talking about, the Service-Learning Program where a national service participant, will work in our school systems helping to organize young people for true volunteer service. They will not get minimum wage, they will not get an educational grant. They will be volunteers, hundreds and thousands of them because of one individual National service participants who are there helping to organize them.

I think of the Conservation Corps and what can happen to make those programs more beneficial with this bill. I think of our Urban Youth Corps and how this will expand and improve its

efforts. I think of the Literacy Corps Volunteers that many, including myself, envision being established under the act. Because the National Service Program is decentralized I have the ability to go to the State of Connecticut's commission and petition for the establishment of such a program. Imagine a Literacy Corps high school graduate in every first grade urban classroom teaching our young people how to read. I can compete for that program. I can help design it, and our commission can decide whether to find it.

I think with all my heart and soul that this program is going to lift up our Nation in a way that many of us here may not fully understand.

National service participants' lives will change for the better. The lives of the hundreds of thousands of people they serve will change for the better as well.

There is something magical and inspirational about serving others. Provide today's young people with more opportunity to serve and they will invigorate our Nation and lift it up.

This initiative is not Republican, it is not Democrat, liberal or conservative. It is simply a sound concept based on fundamental American values.

I would like to just conclude with a letter that was sent to Chairman FORD by Elizabeth Dole, who is now the president of the American Red Cross. In past years she served as the Secretary of the Department of Transportation, and also as Secretary of the Department of Labor. In her letter Libby Dole says:

We particularly appreciate the proposed act's strong emphasis on: Renewing the ethic of civil responsibility; engaging locally based and diverse organizations in a system of service delivery that is both decentralized and nationwide; facilitating the replication of existing successful service programs; and providing service opportunities for both stipended and nonstipended participants and for persons of all ages.

She continues by saying:

We understand that community service is neither a panacea for the Nation's problems nor a substitute for traditional volunteerism. However, your bill will enlarge the means by which individuals can make a difference in their community.

Then she concludes by saying "We look forward to the bill's passage into law." And so do I.

I say to the chairman of the Education and Labor Committee, Mr. FORD, you have an excellent bill. I congratulate the gentleman from Wisconsin [Mr. GUNDERSON] and others who have worked so hard, and the White House for reaching out to Republicans for our input and support. I believe we have all come together for a noble cause that if implemented with as much care as it has been drafted will help change the course of America's future.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 additional minutes to the gentleman from Connecticut [Mr.

SHAYS] and I ask the gentleman to yield.

Mr. SHAYS. I am delighted to yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, I want to thank the gentleman for reading Libby Dole's letter into the RECORD, which was dated only on July 9, so many Members have not had a chance to see it. In here new and important role we will see her almost every day as she works with the problems of the Mississippi River. I worked very closely with her when she was Ronald Reagan's Secretary of Labor, and I hold her in very high regard. We did not solicit the letter that the gentleman has read. She took it upon herself to send it, and for that I am grateful.

I would like to add to what the gentleman read into the RECORD. We have heard references here to how do people who were involved in Desert Storm feel about this. Well we have a statement that was submitted to my counterpart chairman on the other side of the Capitol from Gen. H. Norman Schwarzkopf, U.S. Army (Ret.): "Statement on National Service. I have often been asked if I am in favor of universal military service," says General Schwarzkopf. "My response has always been that I am not in favor of universal military service. I am in favor of universal service. I feel it is totally appropriate for each young American to earn the right to be called American. In this regard, I feel it is right and proper to ask every young person to serve their country in some fashion."

He goes on at some length and then finishes with this: "I strongly believe that universal national service would provide a source of inexpensive, highly trained manpower to apply against many sectors of our economy that desperately need help, would give a sense of self-worth to many young men and women who are lost today because they do not feel they will ever have a chance to make a contribution, and finally would instill great patriotism in the youth of America who because they earn the right to be called Americans would be proud to be Americans," said General Schwarzkopf.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington, [Mrs. UNSOELD].

(Mrs. UNSOELD asked and was given permission to revise and extend her remarks.)

Mrs. UNSOELD. Mr. Chairman, I thank my colleagues for the bipartisan support that has worked on this bill, and particularly Chairman FORD. I rise in strong support of the National Service Trust Act.

We are hearing a lot of very good reasons today for supporting the National Service Trust Act, but there is no better reason than Brooke Wallway.

In June 1992, Brooke's grades were so low that she barely graduated from Battle Ground, WA, High School. Her confidence level was just as low. Shy, lacking in self-esteem and without a

plan for the future, she joined a Washington Service Corps project and ended up leading and supervising a team of at-risk youth.

Eventually Brooke helped create a "Helping Hands from Youth" effort to repair and take care of homes for the elderly. But more than that, Brooke ripped away a veneer of shyness and self-doubt and replaced it with self-confidence and bold plans for tomorrow. And along with gaining a sense of self, she made a difference in her community.

Today Brooke Wallway works full-time as a care provider for severely disabled children in Vancouver, WA. Service changed her life and enriched the lives of many others near her. And that is what this program is all about.

Mr. GOODLING. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky. [Mr. BUNNING].

(Mr. BUNNING asked and was given permission to revise and extend his remarks.)

Mr. BUNNING. Mr. Chairman, today I rise in opposition to H.R. 2010, the National Service Trust Act.

All of us in Congress understand the need to support voluntarism in America. The call to public service is one we have all heard clearly and I encourage young people to become involved in their communities and volunteer.

However, the National Service Act does not just encourage people to volunteer, it pays them, too. Mr. Chairman, I didn't think that voluntarism came with a price tag. I thought that voluntarism meant giving of yourself and your time, not working on the Federal payroll.

A recent Gallup poll revealed that over 94 million Americans perform volunteer work. No one is paying those 94 million Americans. No one is creating jobs for them. But, if you are one of the lucky applicants who gets grants from the new National Service Trust, you can get the satisfaction of volunteering and the satisfaction of having the Government pay your wallet.

I also do not understand, Mr. Chairman, why we need a new national service program when we already have over 20 other federally funded programs that support community service and voluntarism. VISTA, ACTION, RSVP, and a slew of other programs support by the Federal Government already promote community action in America to the tune of \$1.2 billion per year.

CBO estimates that the National Service Trust Act will cost over \$2.8 billion over the next 5 years. At a time when we are tightening our budgetary belts and struggling to fund the programs that we already have, I do not understand how we can afford to more than double our spending on this type of program.

Mr. Chairman, supporters of the National Service Act also claim that this new program will foster community spirit and will encourage young people to give something back to their communities. Instead, the National Service Trust Act will be the biggest boon to political patronage since Tammany Hall.

The National Service Act will only help at most 100,000 of 10 million eligible applicants. We know that there is a lot of interest in this program and competition for grants will prob-

ably be fierce. So the big question will be who decides who gets a grant and who does not.

The answer is "politics." The participants in the New National Service program will be handpicked by State political appointees. These selections won't be made according to a means tests or objective qualifications outlined in the bill—they will be made by State-run selections processes that will be tainted by politics and patronage.

In some cases, applicants for national service must even consult with the get the approval of labor unions.

Mr. Chairman, this does not sound like national service, it sounds like national patronage. It sounds like just another program for big city mayors and political bosses to use to hand out favors.

Charitable organizations that want to employ national services recipients will have to be approved by a politically appointed national review board. Who knows what politically correct standards charities will have to meet to qualify to participate. Given the moral incorrectness today of the Boy Scouts, troop leaders probably need not apply for National Service grants.

Proponents of the National Service Trust Act claim that it will promote community service, but it only promotes it if you know a political bigwig that can get you a grant or you meet the standards of the political correctness police.

Mr. Chairman, community service is good for America. But the National Community Service Act does not promote community service—it buys it and it plays politics with it. We need community service and we need voluntarism, but we don't need this bill.

I urge my colleagues to defeat this misguided proposal.

Mr. GOODLING. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Georgia, [Mr. GINGRICH], the whip on the minority side.

Mr. GINGRICH. Mr. Chairman, I thank my friend from Pennsylvania for yielding the time. I rise, I guess, in a real quandary about this bill.

In many ways I like the bill very much. I like its spirit of trying to reach out for service. I like its effort to be decentralized and to have local involvement. I like the degree to which it emphasizes for younger people a sense of idealism. And I think you can make a very good case that the Clinton administration and the Democratic leadership in the House has worked to try to fashion a bipartisan bill, and many Republicans I think will end up voting for the bill.

□ 1710

And yet, as I walk through it, I cannot help but—at a lighter level than just this bill—almost seeing this entire procedure this week as the perfect classic example of why people are furious about Government and enraged at politicians and why every member of the industrial world who went to Tokyo last week went from a weak Government, in a position of weakness, in a sense of rage because it comes down to these questions: First of all, do we really think Government is too small? Is

the only way to achieve these goals more Federal Government?

Second, given the same number of dollars, whether it is in Marietta, GA, or it is in Detroit, MI, or it is in Camp Hill, PA, are we better off to have a \$300 billion tax increase sitting in a conference committee now, to take the money away from local people and local institutions and true voluntarism to give it to the Federal bureaucracy to send it back home?

And if the fact Government-run has become a major pejorative—and one recent study, when asked, "Do you believe in Government-run health care," it went through the floor because the baby-boomers have figured out that Government-run is a synonym for waste, inefficiency, bureaucracy, red-tape.

So what we are being told is that in the age of Ross Perot and in the age of trying to balance the budget, in the age of trying to cut deficit spending, what we have is the perfect new idea which has to be enacted this year.

Now, I have a real problem with that. I have a problem because I think we ought to find a program, at least one program, of greater cost that we kill if we are going to pass this program. And I would be very open by the time we get to the motion to recommit, if we can find a more expensive program to kill, that we could tie into this program so that before we create this program we kill another program. Then maybe there is an argument that meets the Perot voters and meets the deficit-cutters and meets the balanced-budget folks and says, "Yes, this is a step toward a smaller Government."

But let me tell you what happens in this building: Programs start tiny, they start decentralized, and there is not going to be much bureaucracy and there is not going to be much paperwork and the politicians are not going to decide where the money goes. Then, year by year, they get bigger, and then one morning they are an entitlement. And then suddenly they are gigantic, and then they are 70 percent of the budget, and we are told, "Gee, that is uncontrollable."

After all, 10 years from now when there are several hundred thousand people who must have the money, when we have had a series of fights over quotas and who gets the money and how does it get there, when the Committee on Appropriations is selecting their favorite projects and writing it into the bill, it will be very hard 10 years from now to come back and remember the promise of this program.

So, I could be talked into voting for this under very certain circumstances, which I do not think we will get to. I do not rise and say automatically it is a terrible program. I cannot say there have not been serious efforts to try to meet some very real objectives. But I do have to come down to the final conclusion: You cannot, with a straight face, pass this program unless you include in the bill killing a more expen-

alive program; you cannot, with a straight face, go back home and tell folks you are really trying to balance the Federal budget; you cannot really explain unless you believe the Federal Government inherently spends money smarter than the private citizens of this country, that Government-run is better than private-run voluntary, back-home, local. You cannot really say what we need is one more Federal bureaucracy with one more Federal program.

So, I have to say sadly that at this date, unless I see some amendments passed and a really good motion to recommit, at this date I would vote "no". But I do commend the effort, which I think is sincere, and I do look forward to seeing exactly how the amendments work out over the next several days.

Mr. FORD of Michigan. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee [Mr. CLEMENT].

(Mr. CLEMENT asked and was given permission to revise and extend his remarks.)

Mr. CLEMENT. Mr. Chairman, I strongly support the National Service Trust Act, H.R. 2010. It is what this country needs.

Mr. Chairman, for over 200 years, our great Nation has been known as the land of opportunity. Businessmen such as Andrew Carnegie and Cornelius Vanderbilt have made their fortunes here, and immigrants from all over the world have come here for a fresh start.

But hard work is not enough anymore. Our young people need education and training to assure their futures. Unfortunately, higher education has become increasingly expensive in recent years. So expensive that many young people cannot afford to go to college at all. Doors are automatically closed to these young people, and they miss many opportunities.

The National and Community Service Act will provide our young people with the opportunity to obtain the education and training that they deserve. It will allow them to contribute to society and to become better citizens and better Americans. I urge my colleagues to support the National and Community Service Act because the future of our Nation rests with our young people.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. Chairman, I rise in strong support of the National Service Trust Act. I want to thank, in particular, the chairman of the Committee on Education and Labor, the gentleman from Michigan [Mr. FORD], for the tremendous work, and the gentleman from Wisconsin [Mr. GUNDERSON], for their cooperative efforts in getting this legislation onto this House floor. I think, if we look at the major changes that have taken place in the U.S. society over the course of the last couple of dozen years, the fact is that young people have been at the very forefront of the major political changes that have taken place.

Going back to the early 1960's—late 1950's and early 1960's—we heard a lot of credit being given to individuals for the changes that took place in civil rights legislation. But it was only when young people got on buses and traveled throughout the country and demanded that we change the way civil rights were provided to all America that in fact changes took place.

The same thing took place in the Vietnam war: A lot of controversy, a lot of heartaches took place in that war. But it was not until hundreds of thousands of young people came to this city and demonstrated and took a stand that we saw the United States begin to change the policies that led us to the eventual difficulties that took place at the end of the Vietnam war.

If we look at what happened with regard to the 18-year-old vote, it was when young people demanded the right to vote in America that changes again took place.

Most recently, in terms of the women's struggle for the equal rights amendment, it has been young people on the cutting edge.

What this bill does is enable those young people to be involved in so many ways throughout our society, in helping a homeless family get a meal from a soup kitchen, in helping a senior citizen weatherize an apartment, in helping clean up an urban park, in helping go out into rural America and assist with the very real needs of our farmers and so many of the poor that exist.

It gives a voice and the ability to young people to go out and be involved in the critical affairs of America.

Mr. Chairman, I strongly support the legislation, and I hope that this Congress does its part.

Mr. GOODLING. Mr. Chairman, I yield myself the balance of the time.

I would preface my remarks by saying that one of our colleagues from this committee, whose family at this particular time could certainly use all of our thoughts and all of our prayers, and I am referring to the gentlemen from Michigan [Mr. HENRY], who is extremely critical at this point.

Mr. Chairman, I would like to call your attention to a few things that were said that were said incorrectly. I think two of them may have been an allusion to an amendment that I will be offering when we get to the amending process.

One gentleman indicated that we want the legislation as it is because it gives an opportunity to have people work side by side, people coming in, is the way that he put it, working side by side, no matter what their economic status in life may be.

Nothing in my amendment will preclude that. In fact, it will probably encourage it.

At the present time, many people, young people who volunteer, are financially in a position to volunteer. Many people are not financially in a position to volunteer. My amendment will insure those who presently volunteer

that they can continue to volunteer but now they will receive the minimum wage and they will receive the health benefits so that they will work side by side.

The second statement that was made that was totally erroneous indicated that—and again I am sure it was in reference to an amendment that I will offer—that somehow or other my amendment would cause someone to have to borrow money before they could get involved in this program. That is totally false. The bill conforms to the needs analysis in title IV of the Higher Education Act. My amendment does not cause anyone to borrow one penny before they exhaust every other opportunity of grant, including that which is provided in this legislation.

□ 1720

So I want to make sure that that is very, very clear, not one penny to be borrowed until after the needs analysis, they get the grants that would be available to them under title IV and the money that would be coming to them from this experience. Then they would borrow, not before.

Mr. Chairman, what I am saying today is basically what I heard many of my colleagues on either side of the aisle say during the campaign and immediately after the campaign. I heard one colleague say on two occasions when this program was mentioned that that program is stupid when we think about the needs that are unmet at the present time. That is what I am arguing for.

I believe that all should participate, all should receive the benefits up to the benefits in relationship to higher education of postsecondary education.

Then I believe in fairness to the millions out there who need our financial assistance, who cannot afford to have us cut back on State grants, who cannot afford to have us cut back on work study, the needs analysis should protect them so that those who do not have that kind of financial need for education will not receive money that should go to those who are in need.

As I said earlier, I believe it is immoral to enact the bill the way it is presently written. I would hope as we go through the amendment process, that amendment and another amendment which I would offer which would extend the time for use to 10 years rather than 5 will be amendments that I believe can make the bill acceptable whether it is a good idea or whether it is a bad idea.

So again, when we come before you with amendments, I hope you will be listening and I hope that the rhetoric, some of which was incorrectly stated today, will not be repeated, will be corrected and that we can move ahead with the amendment process whenever that time comes.

Mr. Chairman, I yield back the balance of my time.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Chairman and colleagues, for a quarter century after World War II, America was the world's economic superpower, largely because of a decision that is very similar to the decision that we are being asked to make now. America decided that because of the commitment that our young people made in entering and winning World War II, they had a right to own a piece of America. They had the right through the GI bill of rights to own a home and to have access to higher education. That is the ticket to the middle class, the ticket to success in America. It is still the ticket to success in America, but now 50 years later we find of that 1.8 million 18-year-olds, 700,000 of them are today functionally illiterate. They do not have the verbal and the quantitative skills to have a piece of America, to participate in this economy or this society. That is what this program is all about, to give them an opportunity to get that higher education, to be fully participative, to break out of the limitations that their neighborhoods, that the income of their families, that their prior experience, their peers and all have imposed upon them, to break out and find out what they are capable of doing, what they want to do, and what we need to be doing for the rest of their lives. That is what this is all about, giving them that opportunity, and because of the mountain of debt that we were left by the Reagan and Bush administrations, it does have to start tiny, but I do hope it grows, that it becomes an enormous commitment on the part of America to our young people. They deserve no less and there is nothing more important that we can do for them than to give them this opportunity.

Mr. FORD of Michigan. Mr. Chairman, I yield 3 minutes to the gentleman from California [Ms. SCHENK].

Ms. SCHENK. Mr. Chairman, I rise as an original cosponsor and strong supporter of H.R. 2010, the National Service Trust Act.

I applaud President Clinton for presenting this program to the American people, and I applaud the chairman and ranking member for bringing it to the floor of this House.

National service is clearly a win-win proposition. Communities win by receiving valuable services. Participants win by the experience and by receiving up to \$10,000 in educational assistance, and in the long term we all win by cultivating the kinds of citizens for which this country is so well known.

In our Nation today, there are children who cannot read, but there are also young people who have the patience and energy to teach the children.

In our country today, we have dirty city streets and littered public parks, but we have an abundance of young

men and women who want to make our communities cleaner and safer.

In our country today, we have hospitals under tremendous financial stress to cut costs and maintain care, but we also have citizens who are blessed with good health and a generous spirit who want to improve our Nation's health care services.

The National Service Program would channel the energy, the patience, the strength, and generosity of Americans to good purpose.

As a founder of the Urban Corps of San Diego, I know firsthand the value of youth service programs. Our Urban Corps is considered a success by everyone, participants, business leaders, social service agencies, and educators.

Opponents of H.R. 2010 will argue against a new costly program, but we heard today that this bill would not establish a new Federal bureaucracy. This program would be operated by nongovernmental entities.

Also this program is subject to annual appropriations by Congress. In other words, every year the House will have the opportunity to reevaluate this program, to decide how successful it is.

The National Service Trust Act once again taps the richest vein of America's strength, our desire to work for the physical, emotional, and spiritual well-being of our fellow citizens.

Mr. Chairman, I urge my colleagues to support this important piece of legislation.

Mr. FORD of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. TUCKER].

Mr. TUCKER. Mr. Chairman, I thank the gentleman for yielding me this time.

I would like to congratulate, first of all, the very diligent work of several Congressmen, Congressman FORD, Congressman OWENS, and Congressman MARTINEZ, for they have truly embodied what we call vision around here in the House of Representatives. They have had the vision and have had the foresight to take an initiative by this administration and to work assiduously with Members on both sides of the aisle to make sure that this bill has come very timely to the House floor.

On the eve of the All-Star Game, I am reminded of those things that are endemically and purely American, those things that smack of Mom's apple pie, Chevrolets.

Education is the hallmark of what has made America and Americans great. I myself would not be standing here on the House floor were it not for the wonderful opportunities I have had coming from Compton, CA, to be able to go to schools like Princeton, USC, and even Georgetown University where the President went, had it not been for the opportunity to access education.

This National Service Trust Program is going to give people in communities like Compton, CA, South-Central L.A. and communities all over this country where young men and women have not

had the opportunity to avail themselves of a quality education, it is going to give them that opportunity.

It has bipartisan support. It has support from the President, because it is what America needs, and it needs it now.

To those naysayers who cannot come on board on this bill, Mr. Chairman, I say shame, for truly and surely they cannot find a bill that has more merit, that is more laudable than this. I cannot imagine anyone who would not support something as purely American and purely rich in investment in our people than this bill.

So I challenge both Republicans and Democrats alike today, Mr. Chairman, to come on board on this bill, to stop talking about what we can do for Americans, and to get in line and show the American people that we mean business about education.

Mr. FORD of Michigan. Mr. Chairman, I yield myself the balance of the time remaining on this side.

(Mr. FORD of Michigan asked and was given permission to revise and extend his remarks.)

Mr. FORD of Michigan. Mr. Chairman, when all else fails, we trot out the same old red herrings that we have seen dragged across this floor for years—create a huge new bureaucracy.

□ 1730

One gentleman, who graced us for all of 1½ minutes, walked to the well and said, "Twenty-five thousand new Federal employees." That is only part of the hogwash that we heard from people who either have not taken the time to read or did not understand what they read, and \$7.2 billion is total fiction.

One thing that ought to be borne in mind is that the Corporation for National Service created by this bill virtually absorbs every one of the related programs we already have on the books that are in the jurisdiction of our committee. The ACTION programs, including VISTA, Retired Senior Volunteers, Foster Grandparents, Senior Companions, Student Community Service, special volunteer programs and VISTA illiteracy programs; those are all folded into this program. Conservation and Youth Corps, authorized as recently as 1990, is folded into this program, as well as school-based community service, authorized during the Bush administration in 1990, higher education programs in 1990, a program Mr. Bush talked about, the Points of Light Program. Those are all folded in, Mr. Chairman, as well as the Civilian Community Corps, authorized in 1990. Virtually every service program within our jurisdiction is folded into the Corporation.

Now what does that mean? We are not creating a new bureaucracy. We are bringing the existing bureaucracy into a reduced, more manageable form and having it run, not by one of the regular departments of the Federal Government, but by a newly created National Service Corporation.

In answer to the suggestion that there are 25,000 new Federal employees, Mr. Chairman, I would point out that this legislation provides for approximately 300 Federal employees, all but 75 of whom we already have in these other programs we are folding in. So, the administration will have a grand total of maybe 20 percent of the total Federal workforce because the Federal Government is not going to operate these programs.

It is true that a department, like the Department of the Interior, could, like any city or State, apply to the Corporation for a program for environmental work or conservation, but they apply to the same people that they would apply to if they were a State, or a unit of local government, or a non-profit organization. They do not have any right to have any part of this program because they are a Federal agency, and I suspect that there will be a limited number of Federal agencies that will be able to take advantage of it.

The authorization for this program includes the authorizations for all these programs I just mentioned to my colleagues. Let us get it through our heads. This is not an entitlement. This late in the budget process we should not be confusing entitlement with authorization, and for the gentleman from the Committee on Rules, I was a little surprised that he would make that kind of mistake because he, above all, knows the difference between an entitlement and an authorization. This is an authorization of \$389 million and such sums thereafter, and I say to my colleague, "If you can turn that into \$7.2 billion, you can only do it one way because the legislation makes it very clear that we do not advocate any appropriation in the second, third, and fourth years unless we can satisfy the Appropriations Committee that this program is working, and then only to the extent that we can establish that it is working we ask them to appropriate funds." It is true, as the gentleman said, that it would be funded out of HUD and VA appropriations, but let us not think about this as some clever legislative trick. What we are creating here is a new independent agency, as we did when we created the Post Office and when we created a lot of other—

Mr. SOLOMON. Mr. Chairman, would my friend yield?

Mr. FORD of Michigan. And it is funded like all other independent agencies. I do not decide that, and my committee does not decide that. That is decided by the rules of the House, and it is just the way the cookie crumbled when it crumbled and where the crumbs fell.

Mr. Chairman, having referred to the gentleman from New York [Mr. SOLOMON], I am going to yield to him. I hope that he was here when I quoted General Schwarzkopf about his support for this.

Mr. SOLOMON. Mr. Chairman, will the gentleman yield?

Mr. FORD of Michigan. I yield to the gentleman from New York.

(Mr. SOLOMON asked and was given permission to revise and extend his remarks.)

Mr. SOLOMON. Mr. Chairman, let me say to my good friend, the gentleman from Michigan [Mr. FORD], that I appreciate the position that he is taking, and I thank both him and the ranking member, and my good friend, the gentleman from Wisconsin [Mr. GUNDERSON], for accepting the amendment in committee which deals with drug testing in his bill.

Mr. Chairman, I am pleased that the committee incorporated my drug prevention language into the bill and appreciate Mr. GUNDERSON offering the amendment. I also would like to thank Mr. GOODLING and Chairman FORD for their support.

My amendment suspends eligibility in national service for any individual convicted of using and selling drugs. We will not bestow Federal benefits to individuals who refuse to stop using and selling illegal drugs.

It is not unreasonable to ask the participants in this program, who will be serving others in exchange for Federal benefits, to stay away from drugs. You cannot adequately provide a service to others when you are involved with illegal drugs.

This drug language is supported by an overwhelming majority in both Houses and I hope that the committee will work to make it part of the final bill.

Under the terms of this bill, national service participants, convicted of possession or sale of a controlled substance would have their eligibility in any National Service Program suspended for a certain period of time.

The bill provides that first-time offenders who enroll in a drug rehabilitation program will be allowed to continue in the National Service Program. Repeat offenders would be required to complete drug rehabilitation before they could regain their eligibility. In other words, it steers people with a drug problem into a rehabilitation program.

This language is both firm and fair. It is fundamentally designed to encourage people with a drug problem to get help.

It also sends the message to our young people that you will not receive the Federal benefits if you cannot abide by our laws. Young Americans must be responsible for their own actions before they sign up to serve others.

Mr. FORD of Michigan. Mr. Chairman, reclaiming the balance of my time, I have one more duty before I finish.

I think it should not go unnoticed that this is the most bipartisan presentation that has been on the floor in this Congress. There are people who say that we have snarled ourselves up so badly, up here, that we cannot work together. Now, it is true that some people said things on the floor about what was in the bill, and they believe it because this bill is a little bit different than what the administration proposed, and it is to the administration's, in my opinion, credit that they worked with both Democrats and Republicans, conservatives and liberals, to modify their original proposal to meet what

we thought were the realities of the budget that we would be facing in the next few years, and nobody deserves more credit for that than the gentleman from Wisconsin [Mr. GUNDERSON] of the Committee on Education and Labor and the gentleman from Connecticut [Mr. SHAYS] who is not a member of the committee, but if I could draft him, I certainly would, and also the new Member, the gentleman from Michigan [Mr. HOEKSTRA] who is a member of the committee and spoke earlier today in favor of the legislation. They have all had suggestions, they have all been accommodated, and this truly is not something that a bipartisan group of people came forward to embrace. It is something that a bipartisan group of people worked on together.

Mr. Chairman, I would hope that many other important issues that we have coming through our committee in this Congress can be approached in the same fashion, and it should be noted that there were people on the committee, on both sides of the aisle, who started out with severe reservations, and to the best of our ability we have met those, and the others we will meet when the amendments are offered. We are not yet operating under a rule on the amendment process for this bill, which should be noted, and I know the gentleman from New York [Mr. SOLOMON] will give me some points for this. I went to his committee and asked for an open rule so that no Member would be denied an opportunity to present any amendment that is permitted under the general rules of the House to this bill, and we will have, I am sure, a full and complete discussion of everybody's concerns when we get to the amendment process.

Mr. Chairman, I apologize to the gentleman from New York [Mr. SOLOMON] for having to cut him off.

Mr. HASTINGS. Mr. Chairman, I rise today to announce my strong support for H.R. 2010. This bill will allow young people who participate in community service jobs to receive financial assistance for education. It will also provide educational awards in return for participation in approved national service programs, and will fund the President's season of service.

H.R. 2010 will establish the Corporation for National Service, which may be full-time or part-time—including summer program—will make grants to states public, private nonprofit organizations, elementary and secondary schools and institutions of higher education. This bill will not establish new Federal bureaucracy. National service projects will be operated by non-governmental entities, existing Federal, State, and local agencies, and colleges. Some programs would include individuals with graduate and professional degrees to provide health or legal aid to the poor or teaching in inner city schools. The bill will also establish an urban youth corp program under which youth between 18 and 25 years of age would participate in year round public works, public housing, or transportation programs in urban areas.

National Service is not just for the poor, it's for everyone, regardless of their social and economic background. The National Service program is a wonderful trade-off, education aid in return for service that is both important to the participant and of lasting value to the community. I urge my colleagues to join me in voting for H.R. 2010.

Mr. GUNDERSON. Mr. Chairman, I enthusiastically rise in support of the National Service Trust Act. I commend President Clinton and his staff in drafting legislation which will enable Government, at all levels, to effectively join with the private sector to revitalize communities throughout America. I would like to take this opportunity to outline the reasons that I strongly endorse the National Service Program.

First and foremost, National Service provides public service opportunities for our youth while also giving them the chance to pursue postsecondary education. The National Service Trust Act offers an educational award of \$5,000 to any student 17 years or older, regardless of income, who performs 1 year of full-time or 2 years of part-time service in a public service program designated by a State or by the Federal Government.

Second, the public service projects that will be conducted through the National Service Program will address unmet needs in many communities. Four priority areas have been outlined in this legislation: education, environment, human services, and public safety.

Education: Through public service efforts, tutors, teachers' aides, and other volunteers will be extremely helpful in trying to lower our dropout rate through reading and other literacy programs, helping parents become involved in their children's education at all levels, especially through early childhood education. Early childhood education programs throughout this Nation do not have the number of staff necessary to provide individualized attention which is so important to pre-school age children as they develop their cognitive skills.

Environment: A current program that will be enhanced through the new National Service Trust Act is the Conservation Corps. The Conservation Corps has played a key role in cleaning our rivers and preserving and protecting our landscapes. As we have all witnessed the destruction caused by the floods throughout the Mississippi Valley, this Nation's Conservation Corps has been assisting many communities. I would particularly like to express my appreciation to the Wisconsin Conservation Corps, which has been especially helpful to several western Wisconsin communities that have been devastated by the flood. Their activities have included sandbagging, moving furniture, and debris cleanup.

Public safety: Our police departments and schools are in desperate need of committed individuals who will assist in organizing crime prevention education and anticrime activities.

Human services: I believe human services programs, especially the health care field, will be enhanced through national service. There are currently over 2,000 health professional shortage areas in the United States; over half are rural communities. Participants in the National Service Program could be extremely useful in providing medical assistance to those underserved areas, especially emergency medical services.

A third reason I support national service is that it combines democratic idealism with re-

publican philosophy. My rationale for this statement is based on the following: First, working for an educational benefit and not obtaining a free grant, second, this program is not a financial aid program, third, this initiative encourages diverse participation for both the participants and the designated projects, fourth, local programs are required to provide a 25-percent match of program costs, fifth, flexibility is allowed regarding minimum wage, sixth, offers people instead of dollars as the solution for problems, seventh, opportunity for personal growth and responsibility, eighth, builds upon current projects funded by the National Community Service Commission which has awarded 58 grants to over 200 colleges and universities, ninth, funding will be based on success of program—the first year is funded in the legislation and subsequent years include such sums for funding language, and tenth, the \$5,000 education award does not compete with the GI bill.

I urge my colleagues on both sides of the aisle to not only support this bill, but to go back to their districts and work with local communities in developing national service projects and see how those projects can have a positive impact on communities. Leslie Lenkowsky, the president of the Hudson Institute, said in a May 19, 1993, letter that:

National Service makes government a partner, but not a lonely actor. National Service can point the way toward the proper role of government—not to solve our problems or even to try, but to make a limited investment in the people who will make the real difference.

Ms. VELÁZQUEZ. Mr. Chairman, I rise in support of H.R. 2010, the National Service Trust Act. This is a bill that will benefit the nation on two levels; first by providing our young people with help to pay for college or to pay off college loans, and also by providing much needed services to and for the people of this country.

H.R. 2010 authorizes \$389 million in fiscal year 1994 and such sums as may be necessary in fiscal years 1995 and 1996 for a national service program that would provide educational awards in return for participation in approved national service programs. This includes programs that assist those who are in most need of help, or help to rebuild our cities or protect and preserve the environment.

In the 1980's, we watched our young college graduates flock to Wall Street in search of wealth and instant prosperity. At the same time, our youth growing up in urban areas watched as prosperity came to others through seemingly little effort, while opportunity seemed to slip further away from their reach until it was nowhere in sight. As a result, our youth have turned to the illegal sale of drugs and violence as a way to pass the time. Our urban youth saw the sale of drugs as their only means of achieving prosperity. Our country has produced a generation that seems to have fallen victim to the trappings of instant self-gratification and did not think twice about helping their neighbors. We have raised a generation that believes that those who cannot help themselves should not be helped at all.

The National Service Trust Act is an attempt to return to the notion that we are all in this together, that we cannot succeed as a nation if there are people starving on our front steps while we sit back and discuss finances with our accountants. We must return to the belief

in helping ourselves succeed by aiding others in their attempts to succeed.

There are many people who wish to offer their volunteer services to others, but simply cannot financially afford to take a job that will not help them pay for school or help to pay off their college loans. This is particularly true of students of color who wish to give something back to their communities, but their financial obligations unfortunately outweigh their richness in spirit. National service can aid these students by providing them with \$5,000 in educational awards for 1 year of service.

At a time when the slow economic recovery has the potential to pit Americans against each other in the scramble for job security, I cannot think of a more effective way to unify this Nation than through national service. I strongly urge my colleagues to support this timely and progressive legislation.

Mrs. LLOYD. Mr. Chairman, I rise in support of the National Service Trust Act of 1993. This bill will give more lower and middle income students the opportunity to gain a postsecondary education. This legislation expands the Federal commitment to postsecondary education and at the same time addresses many unmet needs in our communities.

We have always prided ourselves on having one of the finest and most competitive university systems in the world. A look at current university enrollments confirms that the student population is representative of many different countries. Unfortunately, financial burdens have denied many American students of these educational opportunities provided in their own back yard.

As college costs rise and the trend toward using loans to pay these costs have risen in recent years, pursuing a higher education has become less attainable for many young people, particularly those from lower and middle income families who rely on loans and scholarships to pay for college. Many students are forced to work their way through college and often lose focus on their studies. I have heard from many of my constituents about their desire to pursue a postsecondary education, but financial limitations obstruct their aspirations.

It is imperative that we make higher education accessible and affordable for all Americans. Education provides our workforce with the skills to prosper in the market place. We must break down the financial barriers that inhibit our progress in education. The National Service Trust Act is an investment in our communities and is a significant step in making postsecondary education a reality to all students.

This legislation benefits both students and communities, alike. Our nation has many crucial needs that can be met by public service. The national service plan is an incentive to serve communities in a variety of ways including teaching children in Head Start programs, initiating recycling programs, helping the elderly and disabled with daily chores, and assisting the police with public safety.

Mr. Chairman, this plan will encourage young Americans to serve fellow citizens and play a pivotal role in rebuilding our country. In return, this initiative will enable many students to pursue a postsecondary education they otherwise would be denied. I urge my colleagues to support this bill.

The CHAIRMAN. All time for general debate has expired.

Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Ms. DELAURO) having assumed the chair, Mr. FIELDS of Louisiana, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2010) to amend the National and Community Service Act of 1990 to establish a Corporation for National Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. FORD of Michigan. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous matter, on H.R. 2010, National Service Trust Act of 1993, which we have just debated.

The SPEAKER pro tempore (Ms. DELAURO). Is there objection to the request of the gentleman from Michigan? There was no objection.

NATIONAL VETERANS GOLDEN AGE GAMES WEEK

Ms. BYRNE. Madam Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 190) designating July 17 through July 23, 1993, as "National Veterans Golden Age Games Week," and ask for its immediate consideration.

□ 1750

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Ms. DELAURO). Is there objection to the request of the gentleman from Virginia?

Mr. GILMAN. Madam Speaker, reserving the right to object, and I shall not object, I would simply like to inform the House that the minority has no objection to the legislation now being considered, and I am rising in support of the legislation.

Madam Speaker, every year the Department of Veterans Affairs hosts the National Veterans Golden Age Games, a national multi-event sports and recreational competition for veterans, age 55 and older, who are currently receiving medical care from a veterans medical center.

Previous games have been held in Georgia, Colorado, Indiana, Texas, Florida, and Michigan. This year the games will be held at the Veterans Medical Center at Mountain Home, TN, which is located in the congressional district of my colleague, JIM QUILLEN.

To commemorate this week-long competition, Representative QUILLEN has introduced House Joint Resolution 190, designating the week of July 17-23,

1993, as National Veterans Golden Age Games Week. Sports and recreation are integral components in veterans rehabilitative medicine and help improve the health and quality of life for older veterans. Veteran athletes from across the country will compete in events such as swimming, bicycling, tennis, bowling, and several other activities. Special wheelchair competitions will also be held.

Madam Speaker, I am pleased to be a cosponsor of House Joint Resolution 190, and I support passage of this resolution.

Mr. GILMAN. Madam Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 190

Whereas from July 17, 1993, through July 23, 1993, the Department of Veterans Affairs Medical Center at Mountain Home, Tennessee, will host the seventh annual Veterans Golden Age Games.

Whereas the games are a national multi-event sports and recreational competition for veterans, age 55 and over, who are currently receiving medical care from the Department of Veterans Affairs.

Whereas sports and recreation are integral components in the rehabilitative medicine programs offered at Veterans Administration hospitals, and help improve the health and quality of life for older veterans;

Whereas veteran athletes from across the United States will compete in events and competitions at the games;

Whereas the National Veterans Golden Age Games Program serves as a showcase for the prevention and therapeutic medical value that sports and recreation provide in the lives of all older Americans; and

Whereas the games provide further recognition of the valiant service given to the Nation by its veterans: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That July 17 through July 23, 1993, is designated as "National Veterans Golden Age Games Week," and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate programs, ceremonies, and activities.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL FORMER PRISONER OF WAR RECOGNITION DAY

Ms. BYRNE. Madam Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 54) designating April 9, 1993, and April 9, 1994, as "National Former Prisoner of War Recognition Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. GILMAN. Madam Speaker, reserving the right to object, I would like to commend the gentleman from Ohio [Mr. APPLEGATE], who is the chief sponsor of this legislation.

Madam Speaker, I rise in strong support of Senate Joint Resolution 54 designating April 9, 1994, as "National Former Prisoner of War Recognition Day." This resolution is identical to House Joint Resolution 6, which I am pleased to cosponsor in the House. I would like to commend my distinguished colleague from Ohio [Mr. APPLEGATE] for his tireless efforts to honor those who were held as prisoners of war and resolve the fate of American servicemen currently held as captives of war in hostile nations.

As we honor our former prisoners of war, let us bear in mind that there is a great deal of evidence that the governments of Vietnam, Laos, and Cambodia hold information which could resolve the status of many Americans who are still unaccounted for. Despite the difficulties involved, we are deeply committed to resolving the POW/MIA issue. This issue is a humanitarian matter of such great importance that it is difficult to understand why some governments continue to stonewall our Nation. For this reason, I continue to oppose the normalization of relations with Vietnam, and I oppose the granting of additional IMF loans to Vietnam as well.

By supporting Senate Joint Resolution 54, we will be taking an important step to honor Americans who have served in the Armed Forces, particularly those who were formally held as prisoners of war, as well as those who may still be held in captivity.

Let us observe April 9 as a day to commemorate the courage and determination of these brave Americans in upholding the principles of freedom and democracy.

Accordingly, Madam Speaker, I urge my colleagues to support this resolution.

Madam Speaker, I am pleased to yield to the distinguished gentleman from New York [Mr. SOLOMON], who is the ranking member of our Committee on Rules.

Mr. SOLOMON. Madam Speaker, I certainly thank the ranking member of the Committee on Foreign Affairs, with whom I had the privilege of serving for so many years on that committee. The gentleman from New York has also served for many, many years, I think every year I have been here for 15 years, as a member of the Task Force on POW-MIA issues.

The gentleman has been the chairman of that task force, and I have served in that capacity myself. I want to commend him, and I want to commend the gentleman from Ohio [Mr. APPLEGATE], who has also served in that capacity, for bringing this resolution before us.

underrepresented populations, in situations in which volunteers might not otherwise learn about the programs. Such activities shall be coordinated with recruitment authorized under subtitle C or E of the National and Community Service Act of 1990 and may include public service announcements, advertisements, publicity on loan deferments, repayments, and cancellations available to VISTA volunteers, maintenance of a toll-free telephone system, and provision of technical assistance for the recruitment of volunteers to programs and projects receiving assistance under this part.

"(B) The Director shall take steps to recruit individuals 18 through 27 years of age, 55 years of age and older, recent graduates of institutions of higher education, and special skilled volunteers and to promote diverse participation in the program."

(2) in paragraph (3), by adding at the end the following new sentence: "In addition, the Director shall take steps to provide opportunities for returned Peace Corps volunteers to serve in the VISTA program."

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

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

"(4) From the amounts appropriated under section 501(a) for fiscal year 1994 and each subsequent fiscal year, the Director shall obligate such sums as may be necessary for the purpose of carrying out this subsection in such fiscal year."

(d) COORDINATION WITH OTHER FEDERAL AGENCIES.—Section 103 (42 U.S.C. 4953) is amended by adding at the end the following new subsection:

"(h) The Director is encouraged to enter into agreements with other Federal agencies to use VISTA volunteers in furtherance of program objectives that are consistent with the purposes described in section 101."

SEC. 323. TERMS AND PERIODS OF SERVICE.

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

"(b)(1) Volunteers serving under this part may be enrolled initially for periods of service of not less than 1 year, nor more than 2 years, except as provided in paragraph (2) or subsection (e).

"(2) Volunteers serving under this part may be enrolled for periods of service of less than 1 year if the Director determines, on an individual basis, that a period of service of less than 1 year is necessary to meet a critical scarce skill need.

"(3) Volunteers serving under this part may be reenrolled for periods of service in a manner to be determined by the Director. No volunteer shall serve for more than a total of 5 years under this part."

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

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

"(2) In preparing reports relating to programs under this Act, the Director shall report on participants, costs, and accomplishments under the summer program separately.

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

SEC. 324. SUPPORT FOR VISTA VOLUNTEERS.

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

(1) by inserting "(A)" after "(a)(1)"; and
(2) by striking the second sentence and inserting the following:

"(B) Such stipend shall not exceed \$95 per month in fiscal year 1994, but shall be set at a minimum of \$125 per month during the service of the volunteer after October 1, 1994, assuming the availability of funds to accomplish this increase.

"(C) The Director shall not provide a stipend under this subsection to an individual who elects to receive a national service education award under subtitle D of title I of the National and Community Service Act of 1990."

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

(1) in paragraph (3)—

(A) by striking subparagraph (A);

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

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

(2) by striking paragraph (4).

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

"(c)(1) The Director shall—

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

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

"(2) The Corporation shall establish guidelines regarding the circumstances under which child care shall be made available under this subsection and the value of any child care allowance to be provided."

SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PERSONS.

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

"SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PERSONS.

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

SEC. 326. LITERACY ACTIVITIES.

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

(1) in subsection (g)—

(A) by striking paragraph (1); and

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

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

SEC. 327. APPLICATIONS FOR ASSISTANCE.

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

"SEC. 110. APPLICATIONS FOR ASSISTANCE.

"In reviewing an application for assistance under this part, the Director shall not deny such assistance to any project or program, or any public or private nonprofit organization, solely on the basis of the duration of the assistance such project, program, or organization has received under this part prior to the date of submission of the application. The Director shall grant assistance under this part on the basis of merit and to accomplish the goals of the VISTA program, and shall consider the needs and requirements of projects in existence on such date as well as potential new projects."

SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMUNITY SERVICE PROGRAMS.

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

SEC. 329. UNIVERSITY YEAR FOR VISTA.

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

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

"PART B—UNIVERSITY YEAR FOR VISTA";

(2) by striking "University Year for ACTION" each place that such term appears in such part and inserting "University Year for VISTA";

(3) by striking "UYA" each place that such term appears in such part and inserting "UYV"; and

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

"AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA PROGRAM".

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

(1) by striking "of not less than the duration of an academic year" and inserting "of not less than the duration of an academic semester or its equivalent"; and

(2) by adding at the end the following new sentence: "Volunteers may receive a living allowance and such other support or allowances as the Director determines to be appropriate."

SEC. 330. AUTHORITY TO ESTABLISH AND OPERATE SPECIAL VOLUNTEER AND DEMONSTRATION PROGRAMS.

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

"SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPECIAL VOLUNTEER AND DEMONSTRATION PROGRAMS.

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

"(b) ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—The assignment of volunteers under this section, and the provision of support for such volunteers, including any subsistence allowances and stipends, shall be on such terms and conditions as the Director shall determine to be appropriate, but shall not exceed the level of support provided under section 105. Projects using volunteers who do not receive stipends may also be supported under this section.

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

SEC. 331. TECHNICAL AND FINANCIAL ASSISTANCE.

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

"SEC. 123. TECHNICAL AND FINANCIAL ASSISTANCE.

"The Director may provide technical and financial assistance to Federal agencies, State and local governments and agencies, private nonprofit organizations, employers, and other private organizations that utilize or desire to utilize volunteers in carrying out the purpose of this part."

SEC. 323. ELIMINATION OF SEPARATE AUTHORITY FOR DRUG ABUSE PROGRAMS.

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

- (1) by repealing section 124; and
- (2) by redesignating section 125 as section 124.

CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS**SEC. 341. NATIONAL SENIOR VOLUNTEER CORPS.**

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

"TITLE II—NATIONAL SENIOR VOLUNTEER CORPS"

(b) **REFERENCES.**—

(1) Section 200(1) (42 U.S.C. 5000(1)) is amended by striking "Older American Volunteer Programs" and inserting "National Senior Volunteer Corps".

(2) The heading for section 221 (42 U.S.C. 5021) is amended by striking "OLDER AMERICAN VOLUNTEER PROGRAMS" and inserting "NATIONAL SENIOR VOLUNTEER CORPS".

(3) Section 224 (42 U.S.C. 5024) is amended—
(A) in the section heading by striking "OLDER AMERICAN VOLUNTEER PROGRAMS" and inserting "NATIONAL SENIOR VOLUNTEER CORPS"; and

(B) by striking "volunteer projects for older Americans" and inserting "National Senior Volunteer Corps projects".

(4) Section 205(c) of the Older Americans Amendments of 1975 (Public Law 94-135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended by striking "national older American volunteer programs" each place the term appears and inserting "National Senior Volunteer Corps programs".

SEC. 342. THE RETIRED AND SENIOR VOLUNTEER PROGRAM.

(a) **PART HEADING.**—The heading for part A of title II is amended by striking "RETIRED SENIOR VOLUNTEER PROGRAM" and inserting "RETIRED AND SENIOR VOLUNTEER PROGRAM".

(b) **REFERENCES.**—Section 200 (42 U.S.C. 5000) is amended by striking "retired senior volunteer program" each place that such term appears in such section and inserting "Retired and Senior Volunteer Program".

SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOLUNTEER PROGRAM.

(a) **ELIGIBILITY FOR PARTICIPANTS IN THE PROGRAM.**—Section 201(a) (42 U.S.C. 5001(a)) is amended—

(1) in the matter preceding paragraph (1), by inserting "and older working persons" after "retired persons"; and

(2) in paragraph (2), by striking "aged sixty" and inserting "age 55".

(b) **DELETION OF REQUIREMENT FOR STATE AGENCY REVIEW.**—Section 201 (42 U.S.C. 5001) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

SEC. 344. SERVICES UNDER THE FOSTER GRANDPARENT PROGRAM.

Section 211(a) (42 U.S.C. 5011(a)) is amended by striking "including services" and all that follows through "with special needs." and inserting a period and the following: "Such services may include services by individuals serving as foster grandparents to children who are individuals with disabilities, who have chronic health conditions, who are receiving care in hospitals, who are residing in homes for dependent and neglected children, or who are receiving services provided by day care centers, schools, early intervention programs under part H of the Individuals with Disabilities Education Act (20 U.S.C. 1471 et seq.), Head Start agencies under the Head Start Act, or any of a variety of other programs, establishments, and institutions providing services for children with special or exceptional needs. Individual foster grandparents may provide per-

son-to-person services to one or more children, depending on the needs of the project and local site."

SEC. 345. STIPENDS FOR LOW-INCOME VOLUNTEERS.

The second sentence of section 211(d) (42 U.S.C. 5011(d)) is amended by striking "Any stipend or allowance provided under this subsection shall not be less than \$2.20 per hour until October 1, 1990, \$2.35 per hour during fiscal year 1991, and \$2.50 per hour on and after October 1, 1992," and inserting "Any stipend or allowance provided under this section shall not be less than \$2.45 per hour on and after October 1, 1993, and shall be adjusted once prior to December 31, 1997, to account for inflation, as determined by the Director and rounded to the nearest five cents."

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

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

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

SEC. 347. CONDITIONS OF GRANTS AND CONTRACTS.

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

SEC. 348. EVALUATION OF THE SENIOR COMPANION PROGRAM.

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

SEC. 349. AGREEMENTS WITH OTHER FEDERAL AGENCIES.

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

(1) by striking "(a)" and inserting "(a)(1)"; and

(2) by adding at the end the following:

"(2) The Director is encouraged to enter into agreements with—

"(A) the Department of Health and Human Services to—

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

"(ii) promote in-home care in cooperation with the Administration on Aging;

"(B) the Department of Education to promote intergenerational tutoring and mentoring for at-risk children; and

"(C) the Environmental Protection Agency to support conservation efforts."

SEC. 350. PROGRAMS OF NATIONAL SIGNIFICANCE.

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

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following new paragraph:

"(1) The Director is authorized to make grants under parts A, B, and C to support programs that address national problems that are also of local concern. The Director may, in any fiscal year, determine which programs of national significance will receive priority in that year. In determining the priority of programs to address problems of local concern in a particular area, the Director shall solicit and consider the views of representatives of local groups serving the area."

(B) in paragraph (2)(B), by striking "paragraph (10)" and inserting "paragraphs (10) and (12)"; and

(C) in paragraph (2)(C), by striking "and (10)" and inserting "(10), (12), (15), and (16)";

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

"(12) Programs that address environmental needs.

"(13) Programs that reach out to organizations not previously involved in addressing local needs, such as labor unions and profit-making organizations.

"(14) Programs that provide for ethnic outreach.

"(15) Programs that support criminal justice activities.

"(16) Programs that involve older volunteers working with young people in apprenticeship programs.

"(17) Programs that support the integration of individuals with disabilities into the community."; and

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

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

SEC. 351. ADJUSTMENTS TO FEDERAL FINANCIAL ASSISTANCE.

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

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking "(A)"; and

(B) by striking subparagraph (B); and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "(1)"; and

(ii) by striking "annually" and inserting "once every 2 years"; and

(B) by striking paragraph (2).

SEC. 352. DEMONSTRATION PROGRAMS.

Title II (42 U.S.C. 5000 et seq.) is amended by adding at the end the following new part:

"PART E—DEMONSTRATION PROGRAMS**"SEC. 231. AUTHORITY OF DIRECTOR.**

"(a) **IN GENERAL.**—The Director is authorized to make grants to or enter into contracts with public or nonprofit organizations, including organizations funded under part A, B, or C, for the purposes of demonstrating innovative activities involving older Americans as volunteers. The Director may support under this part both volunteers receiving stipends and volunteers not receiving stipends.

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

"(1) linking youth groups and older American organizations in volunteer activities;

"(2) involving older volunteers in programs and activities different from programs and activities supported in the community; and

"(3) testing whether older American volunteer programs may contribute to new objectives or certain national priorities.

"SEC. 232. PROHIBITION.

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

CHAPTER 3—ADMINISTRATION**SEC. 351. PURPOSE OF AGENCY.**

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

(1) by inserting after the first sentence the following: "Such Agency shall also promote the coordination of volunteer efforts among Federal, State, and local agencies and organizations, exchange technical assistance information among such agencies and organizations."; and

(2) by striking "Older American Volunteer Programs" each place the term appears and inserting "National Senior Volunteer Corps".

SEC. 352. AUTHORITY OF THE DIRECTOR.

Section 402 (42 U.S.C. 5042) is amended in paragraphs (5) and (6) by inserting "solicit

and" before "accept" each place the term appears.

SEC. 363. COMPENSATION FOR VOLUNTEERS.

Section 404 (42 U.S.C. 5044) is amended—
(1) in subsection (c), by inserting "from such volunteers or from beneficiaries" after "compensation";

(2) by striking subsection (f); and

(3) by redesignating subsection (g) as subsection (f).

SEC. 364. REPEAL OF REPORT.

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

SEC. 365. APPLICATION OF FEDERAL LAW.

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

SEC. 366. EVALUATION OF PROGRAMS.

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

(1) in subsection (a)—

(A) in the first sentence, by striking "(including the VISTA Literacy Corps which shall be evaluated as a separate program at least once every 3 years)"; and

(B) in the second sentence, by striking "at least once every 3 years" and inserting "periodically";

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

"(b) In carrying out evaluations of programs under this Act, the Director shall create appropriate management information systems that will summarize information on volunteer activities and accomplishments across the programs supported under this Act. The Director shall periodically prepare and submit to the appropriate committees of Congress a report containing such information."; and

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

SEC. 367. NONDISCRIMINATION PROVISIONS.

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

"SEC. 417. NONDISCRIMINATION PROVISIONS.

"(a) IN GENERAL.—

"(1) BASIS.—An individual with responsibility for the operation of a program that receives assistance under this Act shall not discriminate against a participant in, or member of the staff of, such program on the basis of race, color, national origin, sex, age, or political affiliation of such participant or member, or on the basis of disability, if the participant or member is a qualified individual with a disability.

"(2) DEFINITION.—As used in paragraph (1), the term 'qualified individual with a disability' has the meaning given the term in section 101(8) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111(8)).

"(b) FEDERAL FINANCIAL ASSISTANCE.—Any assistance provided under this Act shall constitute Federal financial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).

"(c) RELIGIOUS DISCRIMINATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), an individual with responsibility for the operation of a program that receives assistance under this Act shall not discriminate on the basis of religion against a participant in such program or a member of the staff of such program who is paid with funds received under this Act.

"(2) EXCEPTION.—Paragraph (1) shall not apply to the employment, with assistance provided under this Act, of any member of the staff, of a program that receives assistance under this Act, who was employed with the organization operating the program on

the date the grant under this Act was awarded.

"(d) RULES AND REGULATIONS.—The Director shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided."

SEC. 368. ELIMINATION OF SEPARATE REQUIREMENTS FOR SETTING REGULATIONS.

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

SEC. 369. CLARIFICATION OF ROLE OF INSPECTOR GENERAL.

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

(1) in subsection (a), by inserting "or the Inspector General" after "Director"; and
(2) in subsection (b), by inserting "the Inspector General," after "Director" each place that such term appears.

SEC. 370. COPYRIGHT PROTECTION.

Title IV (42 U.S.C. 5041 et seq.) is amended by adding at the end the following new section:

"SEC. 425. PROTECTION AGAINST IMPROPER USE.

"Whoever falsely—

"(1) advertises or represents; or

"(2) publishes or displays any sign, symbol, or advertisement, reasonably calculated to convey the impression,

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

SEC. 371. CENTER FOR RESEARCH AND TRAINING.

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

"SEC. 426. CENTER FOR RESEARCH AND TRAINING.

"The Director may establish, directly or by grant or contract, a Center for Research and Training on Volunteerism to carry out research concerning the impact of volunteerism on individuals, organizations, and communities, provide training at a State, regional, or local level to help improve programs across the United States, and carry out such other functions as the Director determines to be appropriate."

SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS A VOLUNTEER.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—

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

(A) in paragraph (1)—

(i) in the first sentence, by inserting "the period of an individual's services as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973," after "Economic Opportunity Act of 1964";

(ii) in the second sentence, by inserting "as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973," after "Economic Opportunity Act of 1964"; and

(iii) in the last sentence—

(I) by inserting "or under the Domestic Volunteer Service Act of 1973" after "Economic Opportunity Act of 1964"; and
(II) by inserting "or the Director of ACTION, as appropriate," after "Director of the Office of Economic Opportunity"; and

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

"(3) The provisions of paragraph (1) relating to credit for service as a volunteer or volunteer leader under the Economic Oppor-

tunity Act of 1964 or the Domestic Volunteer Service Act of 1973 shall not apply to any period of service as a volunteer or volunteer leader of an employee or Member with respect to which the employee or Member has made the deposit with interest, if any, required by section 8334(1)."

(2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOSITS.—

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

"(1)(1) Each employee or Member who has performed service as a volunteer or volunteer leader under part A of title VIII of the Economic Opportunity Act of 1964, or as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973, before the date of the separation from service on which the entitlement to any annuity under this subchapter is based may pay, in accordance with such regulations as the Office of Personnel Management shall issue, to the agency by which the employee is employed or, in the case of a Member or a congressional employee, to the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, an amount equal to 7 percent of the readjustment allowance paid to the employee or Member under title VIII of the Economic Opportunity Act of 1964 or title I of the Domestic Volunteer Service Act of 1973 for each period of service as such a volunteer or volunteer leader.

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

"(A) the date of enactment of this subsection; or

"(B) the date on which the employee or Member making the deposit first becomes an employee or Member, shall include interest on such amount, computed and compounded annually beginning on the date of the expiration of the 2-year period. The interest rate that is applicable in computing interest in any year under this paragraph shall be equal to the interest rate that is applicable for such year under subsection (e).

"(3) Any payment received by an agency, the Secretary of the Senate, or the Clerk of the House of Representatives under this subsection shall be immediately remitted to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Fund.

"(4) The Director shall furnish such information to the Office of Personnel Management as the Office may determine to be necessary for the administration of this subsection."

(B) CONFORMING AMENDMENT.—Section 8334(e) of title 5, United States Code, is amended in paragraphs (1) and (2) by striking "or (k)" each place that such term appears and inserting "(k), or (l)".

(b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

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

(A) in subsection (b)(3), by striking "subsection (f)" and inserting "subsection (f) or (h)"; and

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

"(h) An employee or Member shall be allowed credit for service as a volunteer or volunteer leader under part A of title VIII of the Economic Opportunity Act of 1964, or as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973, performed at any time prior to the separation from service on which the entitlement to any annuity under this subchapter is based if the employee or Mem-

- "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

- "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. Superseding 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."

SEC. 392. EFFECTIVE DATE.

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

Subtitle C—Youth Conservation Corps Act of 1970

SEC. 399. PUBLIC LANDS CORPS.

(a) IN GENERAL.—Public Law 91-378 (16 U.S.C. 1701-1706; commonly known as the "Youth Conservation Corps Act of 1970") is amended—

(1) by inserting before section 1 the following:

"TITLE I—YOUTH CONSERVATION CORPS";

(2) by striking "Act" each place such term appears and inserting "title";

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

(4) in subsection (a) of section 102 (as redesignated by paragraph (3)), by inserting "in this title" after "hereinafter";

(5) in subsection (d) of section 104 (as redesignated by paragraph (3)), by striking "section 6" and inserting "section 106"; and

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

"TITLE II—PUBLIC LANDS CORPS

"SEC. 201. SHORT TITLE.

"This title may be cited as the 'Public Lands Corps Act of 1993'.

"SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE.

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

"(1) Conserving or developing natural and cultural resources and enhancing and maintaining environmentally important lands and waters through the use of the Nation's young men and women in a Public Lands Corps can benefit those men and women by providing such men and women with education and work opportunities, furthering their understanding and appreciation of the natural and cultural resources, and providing a means to pay for higher education or to repay indebtedness such men and women have incurred to obtain higher education while at the same time benefiting the Nation's economy and environment.

"(2) Many facilities and natural resources located on public lands and on Indian lands are in disrepair or degraded and in need of labor intensive rehabilitation, restoration, and enhancement work that cannot be carried out by Federal agencies at existing personnel levels.

"(3) Youth conservation corps have established a good record of restoring and maintaining these kinds of facilities and resources in a cost-effective and efficient manner, especially when the corps have worked in partnership arrangements with government land management agencies.

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

"(1) perform, in a cost-effective manner, appropriate conservation projects on public lands and Indian lands where such projects will not be performed by existing employees;

"(2) assist governments and Indian tribes in performing research and public education tasks associated with natural and cultural resources on public lands and Indian lands;

"(3) expose young men and women to public service while furthering their understanding and appreciation of the Nation's natural and cultural resources;

"(4) expand educational opportunities by rewarding individuals who participate in na-

tional service with an increased ability to pursue higher education or job training; and

"(5) stimulate interest among the Nation's young men and women in conservation careers by exposing such men and women to conservation professionals in land managing agencies.

"SEC. 203. DEFINITIONS.

"For purposes of this title:

"(1) APPROPRIATE CONSERVATION PROJECT.—The term 'appropriate conservation project' means any project for the conservation, restoration, construction, or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.

"(2) CORPS AND PUBLIC LANDS CORPS.—The terms 'Corps' and 'Public Lands Corps' mean the Public Lands Corps established under section 204.

"(3) INDIAN.—The term 'Indian' means a person who is a member of an Indian tribe, or is a 'Native', as defined in section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b)).

"(4) INDIAN LANDS.—The term 'Indian lands' means—

"(A) any Indian reservation;

"(B) any public domain Indian allotments;

"(C) any former Indian reservation in the State of Oklahoma;

"(D) any land held by incorporated Native groups, regional corporations, and village corporations under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); and

"(E) any land held by dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State.

"(5) INDIAN TRIBE.—The term 'Indian tribe' means—

"(A) an Indian tribe, band, nation, or other organized group or community, including—

"(i) any Native village, as defined in section 3(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(c)), whether organized traditionally or pursuant to the Act of June 18, 1934 (commonly known as the 'Indian Reorganization Act'; 48 Stat. 984, chapter 576; 25 U.S.C. 461 et seq.); and

"(ii) any Regional Corporation or Village Corporation, as defined in subsection (g) or (j), respectively, of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602 (g) or (j)),

that is recognized as eligible for the special programs and services provided by the United States under Federal law to Indians because of their status as Indians; and

"(B) any tribal organization controlled, sanctioned, or chartered by an entity described in subparagraph (A).

"(6) PUBLIC LANDS.—The term 'public lands' means any lands or waters (or interest therein) owned or administered by the United States, except that such term does not include any Indian lands.

"(7) QUALIFIED YOUTH OR CONSERVATION CORPS.—The term 'qualified youth or conservation corps' means any program established by a State or local government, by the governing body of any Indian tribe, or by a nonprofit organization, that—

"(A) is capable of offering meaningful, full-time, productive work for individuals between the ages of 16 and 25, inclusive, in a natural or cultural resource setting;

"(B) gives participants a mix of work experience, basic and life skills, education, training, and support services; and

"(C) provides participants with the opportunity to develop citizenship values and skills through service to their community and the United States.

"(8) RESOURCE ASSISTANT.—The term 'resource assistant' means a resource assistant selected under section 206.

"(9) STATE.—The term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands.

"SEC. 204. PUBLIC LANDS CORPS PROGRAM.

"(a) ESTABLISHMENT OF PUBLIC LANDS CORPS.—There is hereby established in the Department of the Interior and the Department of Agriculture a Public Lands Corps.

"(b) PARTICIPANTS.—The Corps shall consist of individuals between the ages of 16 and 25, inclusive, who are enrolled as participants in the Corps by the Secretary of the Interior or the Secretary of Agriculture. To be eligible for enrollment in the Corps, an individual shall satisfy the criteria specified in section 137(b) of the National and Community Service Act of 1990. The Secretaries may enroll such individuals in the Corps without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. The Secretaries may establish a preference for the enrollment in the Corps of individuals who are economically, physically, or educationally disadvantaged.

"(c) QUALIFIED YOUTH OR CONSERVATION CORPS.—The Secretary of the Interior and the Secretary of Agriculture are authorized to enter into contracts and cooperative agreements with any qualified youth or conservation corps to perform appropriate conservation projects referred to in subsection (d).

"(d) PROJECTS TO BE CARRIED OUT.—The Secretary of the Interior and the Secretary of Agriculture may each utilize the Corps or any qualified youth or conservation corps to carry out appropriate conservation projects that such Secretary is authorized to carry out under other authority of law on public lands. Appropriate conservation projects may also be carried out under this title on Indian lands with the approval of the Indian tribe involved.

"(e) PREFERENCE FOR CERTAIN PROJECTS.—In selecting appropriate conservation projects to be carried out under this title, the Secretary of the Interior and the Secretary of Agriculture shall give preference to those projects that—

"(1) will provide long-term benefits to the public;

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

"(3) will be labor intensive;

"(4) can be planned and initiated promptly; and

"(5) will provide academic, experiential, or environmental education opportunities.

"(f) CONSISTENCY.—Each appropriate conservation project carried out under this title on any public lands or Indian lands shall be consistent with the provisions of law and policies relating to the management and administration of such lands, with all other applicable provisions of law, and with all management, operational, and other plans and documents that govern the administration of the area.

"SEC. 205. CONSERVATION CENTERS.

"(a) ESTABLISHMENT AND USE.—The Secretary of the Interior and the Secretary of Agriculture are each authorized to provide such quarters, board, medical care, transportation, and other services, facilities, supplies, and equipment as such Secretary determines to be necessary in connection with the Public Lands Corps and appropriate conservation projects carried out under this title and to establish and use conservation centers owned and operated by such Sec-

retary for purposes of the Corps and such projects. The Secretaries shall establish basic standards of health, nutrition, sanitation, and safety for all conservation centers established under this section and shall assure that such standards are enforced. Where necessary or appropriate, the Secretaries may enter into contracts and other appropriate arrangements with State and local government agencies and private organizations for the management of such conservation centers.

"(b) LOGISTICAL SUPPORT.—The Secretary of the Interior and the Secretary of Agriculture may make arrangements with the Secretary of Defense to have logistical support provided by the Armed Forces to the Corps and any conservation center established under this section, where feasible. Logistical support may include the provision of temporary tent shelters where needed, transportation, and residential supervision.

"(c) USE OF MILITARY INSTALLATIONS.—The Secretary of the Interior and the Secretary of Agriculture may make arrangements with the Secretary of Defense to identify military installations and other facilities of the Department of Defense and, in consultation with the adjutant generals of the State National Guards, National Guard facilities that may be used, in whole or in part, by the Corps for training or housing Corps participants.

"SEC. 206. RESOURCE ASSISTANTS.

"(a) AUTHORIZATION.—The Secretary of the Interior and the Secretary of Agriculture are each authorized to provide individual placements of resource assistants with any Federal land managing agency under the jurisdiction of such Secretary to carry out research or resource protection activities on behalf of the agency. To be eligible for selection as a resource assistant, an individual shall be at least 17 years of age. The Secretaries may select resource assistants without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. The Secretaries shall give a preference to the selection of individuals who are enrolled in an institution of higher education or are recent graduates from an institution of higher education, as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)) with particular attention given to ensure the full representation of women and participants from historically black, Hispanic, and Native American schools.

"(b) USE OF EXISTING NONPROFIT ORGANIZATIONS.—Whenever one or more existing nonprofit organizations can provide, in the judgment of the Secretary of the Interior or the Secretary of Agriculture, appropriate recruitment and placement services to fulfill the requirements of this section, the Secretary may implement this section through such existing organizations. Participating nonprofit organizations shall contribute to the expenses of providing and supporting the resource assistants, through private sources of funding, at a level equal to 25 percent of the total costs of each participant in the resource assistant program who has been recruited and placed through that organization. Any such participating nonprofit conservation service organization shall be required, by the respective land managing agency, to submit an annual report evaluating the scope, size, and quality of the program, including the value of work contributed by the resource assistants, to the mission of the agency.

"SEC. 207. LIVING ALLOWANCES AND TERMS OF SERVICE.

"(a) LIVING ALLOWANCES.—The Secretary of the Interior and the Secretary of Agriculture shall provide each participant in the Public Lands Corps and each resource assistant with a living allowance in an amount not to exceed the maximum living allowance authorized by section 140(a)(3) of the National and Community Service Act of 1990 for participants in a national service program assisted under subtitle C of title I of such Act.

"(b) TERMS OF SERVICE.—Each participant in the Corps and each resource assistant shall agree to participate in the Corps or serve as a resource assistant, as the case may be, for such term of service as may be established by the Secretary enrolling or selecting the individual.

"SEC. 208. NATIONAL SERVICE EDUCATIONAL AWARDS.

"(a) EDUCATIONAL BENEFITS AND AWARDS.—If a participant in the Public Lands Corps or a resource assistant also serves in an approved national service position designated under subtitle C of title I of the National and Community Service Act of 1990, the participant or resource assistant shall be eligible for a national service educational award in the manner prescribed in subtitle D of such title upon successfully complying with the requirements for the award. The period during which the national service educational award may be used, the purposes for which the award may be used, and the amount of the award shall be determined as provided under such subtitle.

"(b) FORBEARANCE IN THE COLLECTION OF STAFFORD LOANS.—For purposes of section 428 of the Higher Education Act of 1965, in the case of borrowers who are either participants in the Corps or resource assistants, upon written request, a lender shall grant a borrower forbearance on such terms as are otherwise consistent with the regulations of the Secretary of Education, during periods in which the borrower is serving as such a participant or a resource assistant.

"SEC. 209. NONDISPLACEMENT.

"The nondisplacement requirements of section 177 of the National and Community Service Act of 1990 shall be applicable to all activities carried out by the Public Lands Corps, to all activities carried out under this title by a qualified youth or conservation corps, and to the selection and service of resource assistants.

"SEC. 210. FUNDING.

"(a) COST SHARING.—

"(1) PROJECTS BY QUALIFIED YOUTH OR CONSERVATION CORPS.—The Secretary of the Interior and the Secretary of Agriculture are each authorized to pay not more than 75 percent, and shall collectively pay 75 percent, of the costs of any appropriate conservation project carried out pursuant to this title on public lands by a qualified youth or conservation corps. The remaining 25 percent of the costs of such a project may be provided from non-Federal sources in the form of funds, services, facilities, materials, equipment, or any combination of the foregoing. No cost sharing shall be required in the case of any appropriate conservation project carried out on Indian lands under this title.

"(2) PUBLIC LANDS CORPS PROJECTS.—The Secretary of the Interior and the Secretary of Agriculture are each authorized to accept donations of funds, services, facilities, materials, or equipment for the purposes of operating the Public Lands Corps and carrying out appropriate conservation projects by the Corps. The Department of the Interior and the Department of Agriculture shall comply with the Federal share requirements of section 129(d)(2)(B) of the National and Community Service Act of 1990.

"(b) FUNDS AVAILABLE UNDER NATIONAL AND COMMUNITY SERVICE ACT.—In order to carry out the Public Lands Corps or to support resource assistants and qualified youth or conservation corps under this title, the Secretary of the Interior and the Secretary of Agriculture shall be eligible to apply for and receive assistance described in section 121(b) of the National and Community Service Act of 1990, from funds available under section 129(d)(2)."

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

TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS

SEC. 401. DEFINITIONS.

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

(1) by striking "and" at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting a semicolon; and

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

"(8) the term 'Corporation' means the Corporation for National and Community Service established under section 191 of the National and Community Service Act of 1990;

"(9) the term 'foster grandparent' means a volunteer in the Foster Grandparent Program;

"(10) the term 'Foster Grandparent Program' means the program established under part B of title II;

"(11) except as provided in section 417, the term 'individual with a disability' has the meaning given the term in section 7(8) of the Rehabilitation Act of 1973 (29 U.S.C. 706(8));

"(12) the term 'Inspector General' means the Inspector General of ACTION;

"(13) the term 'national senior volunteer' means a volunteer in the National Senior Volunteer Corps;

"(14) the term 'National Senior Volunteer Corps' means the programs established under parts A, B, C, and E of title II;

"(15) the term 'Retired and Senior Volunteer Program' means the program established under part A of title II;

"(16) the term 'retired or senior volunteer' means a volunteer in the Retired and Senior Volunteer Program;

"(17) the term 'senior companion' means a volunteer in the Senior Companion Program;

"(18) the term 'Senior Companion Program' means the program established under part C of title II;

"(19) the terms 'VISTA' and 'Volunteers in Service to America' mean the program established under part A of title I; and

"(20) the term 'VISTA volunteer' means a volunteer in VISTA."

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

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

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

(A) in paragraph (1)—

(i) by striking "Commission on National Community Service" and inserting "Corporation for National and Community Service"; and

(ii) by striking "Commission shall prepare" and inserting "Board of Directors of the Corporation shall prepare"; and

(B) in paragraph (2), by striking "Board of Directors of the Commission on National and Community Service" and inserting "Board of Directors of the Corporation for National and Community Service".

(2) Section 1093(a) of such Act (42 U.S.C. 12653a note) is amended by striking "the

Board of Directors and Executive Director of the Commission on National and Community Service" and inserting "the Board of Directors and President of the Corporation for National and Community Service".

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

(A) in the title, by striking "commission on national and community service" and inserting "corporation for national and community service";

(B) in subsection (a)—

(i) in the heading, by striking "COMMISSION" and inserting "CORPORATION";

(ii) in the first sentence, by striking "Commission on National and Community Service" and inserting "Corporation for National and Community Service"; and

(iii) in the second sentence, by striking "The Commission" and inserting "The President of the Corporation"; and

(C) in subsection (b)—

(i) in paragraph (1), by striking "Board of Directors of the Commission on National and Community Service" and inserting "President of the Corporation for National and Community Service"; and

(ii) in paragraph (2), by striking "the Commission" and inserting "the President of the Corporation for National and Community Service".

(4) Section 1095 of such Act (Public Law 102-484; 106 Stat. 2535) is amended in the heading for subsection (b) by striking "COMMISSION ON NATIONAL AND COMMUNITY SERVICE" and inserting "CORPORATION FOR NATIONAL AND COMMUNITY SERVICE".

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

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

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

(1) Sections 159(b)(2) (as redesignated in section 104(b)(3) of this Act) and 165 (as redesignated in section 104(b)(3) of this Act), subsections (a) and (b) of section 172, sections 176(a) and 177(c), and subsections (a), (b), and (d) through (h) of section 179, of the National and Community Service Act of 1990 (42 U.S.C. 12653h(b)(2), 12653n, 12632 (a) and (b), 12636(a), 12637(c), and 12639 (a), (b), and (d) through (h)) are each amended by striking the term "Commission" each place the term appears and inserting "Corporation".

(2) Sections 152, 157(b)(2), 162(a)(2)(C), 164, and 166(1) of such Act (in each case, as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12653a, 12653f(b)(2), 12653k(a)(2)(C), 12653m, and 12653o(1)) are each amended by striking "Commission on National and Community Service" and inserting "Corporation".

(3) Section 163(b)(9) of such Act (as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12653l(b)(9)) is amended by striking "Chair of the Commission on National and Community Service" and inserting "President".

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

(A) by striking "The President" and inserting "The President of the United States, acting through the Corporation";

(B) by inserting "in furtherance of activities under section 302" after "section 501(b)"; and

(C) by striking "the President" both places it appears and inserting "the Corporation".

SEC. 403. REFERENCES TO DIRECTORS OF THE COMMISSION ON NATIONAL AND COMMUNITY SERVICE.

(a) PRESIDENT.—

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

(A) by striking "BOARD.—The Board" and inserting "SUPERVISION.—The President";

(B) by striking "the Board" in the matter preceding paragraph (1), and in paragraph (1), and inserting "the President"; and

(C) by striking "the Director" in paragraph (1) and inserting "the Board".

(2) Section 159(b) of such Act (as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12653h(b)) is amended by striking "(b)" and all that follows through "Commission on National and Community Service" and inserting "(b) MONITORING AND COORDINATION.—The President".

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

(A) in subparagraph (A), by striking "the Board, in consultation with the Executive Director," and inserting "the President"; and

(B) in subparagraph (B)(iii), by striking "the Board through the Executive Director" and inserting "the President".

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

(A) by striking paragraph (6); and

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

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

SEC. 404. DEFINITION OF DIRECTOR.

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

"(1) the term 'Director' means the President of the Corporation for National and Community Service appointed under section 193 of the National and Community Service Act of 1990."

SEC. 405. REFERENCES TO ACTION AND THE ACTION AGENCY.

(a) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—

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

(A) by striking "ACTION, the Federal domestic volunteer agency," and inserting "this Act"; and

(B) by striking "ACTION shall" and inserting "the Corporation for National and Community Service shall".

(2) Subtitle (b) of section 124 of such Act (as redesignated by section 322(2) of this Act) is amended by striking "the ACTION Agency" and inserting "the Corporation".

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

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

(A) by striking "the ACTION Agency" the first place such term appears and inserting "the Corporation under this Act"; and

(B) by striking "the ACTION Agency" the second place such term appears and inserting "the Corporation".

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

(6) Section 421(12) of such Act (as added by section 401 of this Act) is further amended by

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

(A) by striking "BOARD.—The Board" and inserting "SUPERVISION.—The President";

(B) by striking "the Board" in the matter preceding paragraph (1), and in paragraph (1), and inserting "the President"; and

(C) by striking "the Director" in paragraph (1) and inserting "the Board".

(2) Section 159(b) of such Act (as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12653h(b)) is amended by striking "(b)" and all that follows through "Commission on National and Community Service" and inserting "(b) MONITORING AND COORDINATION.—The President".

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

(A) in subparagraph (A), by striking "the Board, in consultation with the Executive Director," and inserting "the President"; and

(B) in subparagraph (B)(iii), by striking "the Board through the Executive Director" and inserting "the President".

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

(A) by striking paragraph (6); and

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

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

SEC. 404. DEFINITION OF DIRECTOR.

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

"(1) the term 'Director' means the President of the Corporation for National and Community Service appointed under section 193 of the National and Community Service Act of 1990."

SEC. 405. REFERENCES TO ACTION AND THE ACTION AGENCY.

(a) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—

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

(A) by striking "ACTION, the Federal domestic volunteer agency," and inserting "this Act"; and

(B) by striking "ACTION shall" and inserting "the Corporation for National and Community Service shall".

(2) Subtitle (b) of section 124 of such Act (as redesignated by section 322(2) of this Act) is amended by striking "the ACTION Agency" and inserting "the Corporation".

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

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

(A) by striking "the ACTION Agency" the first place such term appears and inserting "the Corporation under this Act"; and

(B) by striking "the ACTION Agency" the second place such term appears and inserting "the Corporation".

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

(6) Section 421(12) of such Act (as added by section 401 of this Act) is further amended by

striking "ACTION" and inserting "the Corporation".

(7) Section 425 of such Act (as added by section 370 of this Act) is further amended by striking "ACTION" and inserting "the Corporation".

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

(c) PUBLIC HOUSING SECURITY.—Section 207(c) of the Public Housing Security Demonstration Act of 1978 (Public Law 95-557; 92 Stat. 2683; 12 U.S.C. 1701a-6 note) is amended—

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

(2) in paragraph (4), by striking "ACTION" and inserting "the Corporation for National and Community Service".

(d) NATIONAL FOREST VOLUNTEERS.—Section 1 of the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a) is amended by striking "ACTION" and inserting "the Corporation for National and Community Service".

(e) PEACE CORPS.—Section 2A of the Peace Corps Act (22 U.S.C. 2591-1) is amended by inserting after "the ACTION Agency" the following: ", the successor to the ACTION Agency,".

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

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

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

(2) in section 203(a)(1) (42 U.S.C. 3013(a)(1)), by striking "the ACTION Agency" and inserting "the Corporation for National and Community Service"; and

(3) in section 422(b)(12)(C) (42 U.S.C. 3035a(b)(12)(C)), by striking "the ACTION Agency" and inserting "the Corporation for National and Community Service".

(h) VISTA SERVICE EXTENSION.—Section 101(c)(1) of the Domestic Volunteer Service Act Amendments of 1989 (Public Law 101-204; 103 Stat. 1810; 42 U.S.C. 4954 note) is amended by striking "Director of the ACTION Agency" and inserting "President of the Corporation for National and Community Service".

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

(1) in paragraph (1)—

(A) by striking "the ACTION Agency," and inserting "the Corporation for National and Community Service,"; and

(B) by striking "the Director of the ACTION Agency" and inserting "the President of the Corporation";

(2) in paragraph (2)(A), by striking "ACTION Agency" and inserting "Corporation"; and

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

"(A) the term 'Corporation' means the Corporation for National and Community Service established by section 191 of the National and Community Service Act of 1990.".

(j) PROMOTION OF PHOTOVOLTAIC ENERGY.—Section 11(a) of the Solar Photovoltaic Energy Research, Development, and Demonstration Act of 1978 (42 U.S.C. 5590) is amended by striking "the Director of ACTION,".

(k) COORDINATING COUNCIL ON JUVENILE JUSTICE.—Section 206(a)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1)) is amended by striking "the Director of the ACTION Agency" and inserting "the President of the Corporation for National and Community Service".

(l) ENERGY CONSERVATION.—Section 419(b)(1) of the Energy Conservation and Production Act (42 U.S.C. 6963(b)(1)) is amended by striking "the Director of the ACTION Agency,".

(m) INTERAGENCY COUNCIL ON THE HOMELESS.—Section 202(a) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11312(a)) is amended by striking paragraph (12) and inserting the following new paragraph:

"(12) The President of the Corporation for National and Community Service, or the designee of the President."

(n) ANTI-DRUG ABUSE.—Section 3601 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended by striking paragraph (5) and inserting the following new paragraph:

"(5) the term 'Director' means the President of the Corporation for National and Community Service."

(o) ADMINISTRATION ON CHILDREN, YOUTH, AND FAMILIES.—Section 916(b) of the Claude Pepper Young Americans Act of 1990 (42 U.S.C. 12312(b)) is amended by striking "the Director of the ACTION Agency" and inserting "the President of the Corporation for National and Community Service".

SEC. 406. EFFECTIVE DATE.

(a) COMMISSION.—The amendments made by sections 401 through 402 will take effect on October 1, 1993.

(b) ACTION.—The amendments made by sections 404 and 405 shall take effect on the effective date of section 203(c)(2).

TITLE V—RURAL COMMUNITY SERVICE

SEC. 501. RURAL COMMUNITY SERVICE.

Title XI of the Higher Education Act of 1965 (20 U.S.C. 1136 et seq.) is amended by adding at the end the following new part:

"PART C—RURAL COMMUNITY SERVICE

"SEC. 1171. FINDINGS; PURPOSE.

"(a) FINDINGS.—The Congress finds that—

"(1) the Nation's rural centers are facing increasingly pressing problems and needs in the areas of economic development, community infrastructure and service, social policy, public health, housing, crime, education, environmental concerns, planning and work force preparation;

"(2) there are, in the Nation's rural institutions, people with underutilized skills, knowledge, and experience who are capable of providing a vast range of services towards the amelioration of the problems described in paragraph (1);

"(3) the skills, knowledge, and experience in these rural institutions, if applied in a systematic and sustained manner, can make a significant contribution to the solution of such problems; and

"(4) the application of such skills, knowledge, and experience is hindered by the limited funds available to redirect attention to solutions to such rural problems.

"(b) PURPOSE.—It is the purpose of this part to provide incentives to rural academic institutions to enable such institutions to work with private and civic organizations to devise and implement solutions to pressing and severe problems in their communities.

"SEC. 1172. PROGRAM.

"The Secretary is authorized to carry out a program of providing assistance to eligible institutions to enable such institutions to carry out the authorized activities described in section 1174 in accordance with the provisions of this part.

"SEC. 1172. APPLICATIONS FOR RURAL COMMUNITY SERVICE GRANTS.

"(a) APPLICATION.—

"(1) IN GENERAL.—Each eligible institution desiring a grant under this part shall submit to the Secretary an application at such time, in such form, and containing or accompanied by such information and assurances, as the Secretary may require by regulation.

"(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall—

"(A) describe the activities and services for which assistance is sought; and

"(B) contain assurances that the eligible institution will enter into a consortium to carry out the provisions of this part that includes, in addition to the eligible institution, one or more of the following entities:

"(i) A community college.

"(ii) A rural local educational agency.

"(iii) A local government.

"(iv) A business or other employer.

"(v) A nonprofit institution.

"(3) WAIVER.—The Secretary may waive the consortium requirements described in paragraph (2) for any applicant who can demonstrate to the satisfaction of the Secretary that the applicant has devised an integrated and coordinated plan which meets the purpose of this part.

"(b) PRIORITY IN SELECTION OF APPLICATIONS.—The Secretary shall give priority to applications that propose to conduct joint projects supported by other local, State, and Federal programs.

"(c) SELECTION PROCEDURES.—The Secretary, by regulation, shall develop a formal procedure for the submission of applications under this part and shall publish in the Federal Register an announcement of that procedure and the availability of funds under this part.

"SEC. 1174. AUTHORIZED ACTIVITIES.

"Grant funds made available under this part shall be used to support planning, applied research, training, resource exchanges or technology transfers, the delivery of services, or other activities the purpose of which is to design and implement programs to assist rural communities to meet and address their pressing and severe problems, such as any of the following:

"(1) Work force preparation.

"(2) Rural poverty and the alleviation of such poverty.

"(3) Health care, including health-care delivery and access as well as health education, prevention and wellness.

"(4) Underperforming school systems and students.

"(5) Problems faced by the elderly and individuals with disabilities in rural settings.

"(6) Problems faced by families and children.

"(7) Campus and community crime prevention, including enhanced security and safety awareness measures as well as coordinated programs addressing the root causes of crime.

"(8) Rural housing.

"(9) Rural infrastructure.

"(10) Economic development.

"(11) Rural farming and environmental concerns.

"(12) Other problem areas which participants in the consortium described in section 1173(a)(2)(B) concur are of high priority in rural areas.

"(13)(A) Problems faced by individuals with disabilities and economically disadvantaged individuals regarding accessibility to institutions of higher education and other public and private community facilities.

"(B) Amelioration of existing attitudinal barriers that prevent full inclusion of individuals with disabilities in their community.

TITLE V—RURAL COMMUNITY SERVICE

SEC. 501. RURAL COMMUNITY SERVICE.

Title XI of the Higher Education Act of 1965 (20 U.S.C. 1136 et seq.) is amended by adding at the end the following new part:

"PART C—RURAL COMMUNITY SERVICE

"SEC. 1171. FINDINGS; PURPOSE.

"(a) FINDINGS.—The Congress finds that—

"(1) the Nation's rural centers are facing increasingly pressing problems and needs in the areas of economic development, community infrastructure and service, social policy, public health, housing, crime, education, environmental concerns, planning and work force preparation;

"(2) there are, in the Nation's rural institutions, people with underutilized skills, knowledge, and experience who are capable of providing a vast range of services towards the amelioration of the problems described in paragraph (1);

"(3) the skills, knowledge, and experience in these rural institutions, if applied in a systematic and sustained manner, can make a significant contribution to the solution of such problems; and

"(4) the application of such skills, knowledge, and experience is hindered by the limited funds available to redirect attention to solutions to such rural problems.

"(b) PURPOSE.—It is the purpose of this part to provide incentives to rural academic institutions to enable such institutions to work with private and civic organizations to devise and implement solutions to pressing and severe problems in their communities.

"SEC. 1172. PROGRAM.

"The Secretary is authorized to carry out a program of providing assistance to eligible institutions to enable such institutions to carry out the authorized activities described in section 1174 in accordance with the provisions of this part.

"SEC. 1173. APPLICATIONS FOR RURAL COMMUNITY SERVICE GRANTS.

"(a) APPLICATION.—

"(1) IN GENERAL.—Each eligible institution desiring a grant under this part shall submit to the Secretary an application at such time, in such form, and containing or accompanied by such information and assurances, as the Secretary may require by regulation.

"(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall—

"(A) describe the activities and services for which assistance is sought; and

"(B) contain assurances that the eligible institution will enter into a consortium to carry out the provisions of this part that includes, in addition to the eligible institution, one or more of the following entities:

"(i) A community college.

"(ii) A rural local educational agency.

"(iii) A local government.

"(iv) A business or other employer.

"(v) A nonprofit institution.

"(3) WAIVER.—The Secretary may waive the consortium requirements described in paragraph (2) for any applicant who can demonstrate to the satisfaction of the Secretary that the applicant has devised an integrated and coordinated plan which meets the purpose of this part.

"(b) PRIORITY IN SELECTION OF APPLICATION.—The Secretary shall give priority to applications that propose to conduct joint projects supported by other local, State, and Federal programs.

"(c) SELECTION PROCEDURES.—The Secretary, by regulation, shall develop a formal procedure for the submission of applications under this part and shall publish in the Federal Register an announcement of that procedure and the availability of funds under this part.

"SEC. 1174. AUTHORIZED ACTIVITIES.

"Grant funds made available under this part shall be used to support planning, applied research, training, resource exchanges or technology transfers, the delivery of services, or other activities the purpose of which is to design and implement programs to assist rural communities to meet and address their pressing and severe problems, such as any of the following:

"(1) Work force preparation.

"(2) Rural poverty and the alleviation of such poverty.

"(3) Health care, including health care delivery and access as well as health education, prevention and wellness.

"(4) Underperforming school systems and students.

"(5) Problems faced by the elderly and individuals with disabilities in rural settings.

"(6) Problems faced by families and children.

"(7) Campus and community crime prevention, including enhanced security and safety awareness measures as well as coordinated programs addressing the root causes of crime.

"(8) Rural housing.

"(9) Rural infrastructure.

"(10) Economic development.

"(11) Rural farming and environmental concerns.

"(12) Other problem areas which participants in the consortium described in section 1173(a)(2)(B) concur are of high priority in rural areas.

"(13)(A) Problems faced by individual with disability and economically disadvantaged individuals regarding accessibility to institutions of higher education and other public and private community facilities.

"(B) Amelioration of existing attitudinal barriers that prevent full inclusion of individuals with disabilities in their community.

"SEC. 1175. PEER REVIEW.

"The Secretary shall designate a peer review panel to review applications submitted under this part and make recommendations for funding to the Secretary. In selecting the peer review panel, the Secretary may consult with other appropriate Cabinet-level Federal officials and with non-Federal organizations, to ensure that the panel will be geographically balanced and be composed of representations from public and private institutions of higher education, labor, business, and State and local government, who have expertise in rural community service or in education.

"SEC. 1176. DISBURSEMENT OF FUNDS.

"(a) MULTIYEAR AVAILABILITY.—Subject to the availability of appropriations, grants under this part may be made on a multiyear basis, except that no institution, individually or as a participant in a consortium, may receive a grant for more than 5 years.

"(b) EQUITABLE GEOGRAPHIC DISTRIBUTION.—The Secretary shall award grants under this part in a manner that achieves equitable geographic distribution of such grants.

"(c) MATCHING REQUIREMENT.—An applicant under this part and the local governments associated with its application shall contribute to the conduct of the program supported by the grant an amount from non-Federal funds equal to at least one-fourth of the amount grant, which contribution may be in cash or in kind, fairly evaluated.

"SEC. 1177. DESIGNATION OF RURAL GRANT INSTITUTIONS.

"The Secretary shall publish a list of eligible institutions under this part and shall designate such institutions of higher education as 'Rural Grant Institutions'. The Secretary shall establish a national network of Rural Grant Institutions so that the re-

sults of individual projects achieved in 1 rural area can be generalized, disseminated, replicated and applied throughout the Nation.

"SEC. 1178. DEFINITIONS.

"As used in this part:

"(1) RURAL AREA.—The term 'rural area' means any area that is—

"(A) outside an urbanized area, as such term is defined by the Bureau of the Census; and

"(B) outside any place that—

"(i) is incorporated or Bureau of the Census designated; and

"(ii) has a population of 75,000 or more.

"(2) ELIGIBLE INSTITUTION.—The term 'eligible institution' means an institution of higher education, or a consortium of such institutions any one of which meets all the requirements of this paragraph, which—

"(A) is located in a rural area;

"(B) draws a substantial portion of its undergraduate students from the rural area in which such institution is located, or from contiguous areas;

"(C) carries out programs to make post-secondary educational opportunities more accessible to residents of such rural areas, or contiguous areas;

"(D) has the present capacity to provide resources responsive to the needs and priorities of such rural areas and contiguous areas;

"(E) offers a range of professional, technical, or graduate programs sufficient to sustain the capacity of such institution to provide such resources; and

"(F) has demonstrated and sustained a sense of responsibility to such rural area and contiguous areas and the people of such areas.

"SEC. 1179. AUTHORIZATION OF APPROPRIATIONS; FUNDING RULE.

"(a) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary in each fiscal year to carry out the provisions of this part.

"(b) FUNDING RULE.—If in any fiscal year the amount appropriated pursuant to the authority of subsection (a) is less than 50 percent of the funds appropriated to carry out part A in such year, then the Secretary shall make available in such from funds appropriated to carry out part A an amount equal to the difference between 50 percent of the funds appropriated to carry out part A and the amount appropriated pursuant to the authority of subsection (a)."

On page 4, in the table of contents, insert after the item relating to section 406 the following new items.

TITLE V—RURAL COMMUNITY SERVICE
Sec. 501. Rural community service.

Mr. MCCONNELL. Mr. President, this amendment establishes a Rural Community Service Program under title XI of the Higher Education Act (Public Law 102-325). I offer this measure on behalf of rural communities in my State, and all rural areas across America.

It might interest my colleagues to know that while an Urban Community Service Program is already authorized under this act, a similar program does not exist for rural areas. The urban program allows big city colleges and universities to use their skills and talents to address urban problems such as limited access to health care, unemployment, and crime.

Mr. President, these problems are about as unique to our inner cities as advertisements are to Sunday news-

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the item relating to section 2 and inserting the following new item:

"Sec. 2. Findings and purpose."

TITLE I—PROGRAMS AND RELATED PROVISIONS

Subtitle A—Programs

SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NATIONAL SERVICE

(a) ASSISTANCE PROGRAM AUTHORIZED.—Subtitle C of title I of the National and Community Service Act of 1990 (42 U.S.C. 12541 et seq.) is amended to read as follows:

"Subtitle C—National Service Trust Program

"PART I—INVESTMENT IN NATIONAL SERVICE

"SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

"(a) PROVISION OF ASSISTANCE.—Subject to the availability of appropriations, the Corporation may make grants to States, subdivisions of States, Indian tribes, public and private not-for-profit organizations (including labor organizations and community action agencies), and institutions of higher education for the purpose of assisting the recipients of the grants by paying for the Federal share of—

"(1) carrying out full- or part-time national service programs, including summer programs, described in section 122(a); and

"(2) making grants in support of other national service programs described in section 122(a) that are carried out by other entities.

"(b) AGREEMENTS WITH FEDERAL AGENCIES.—

"(1) IN GENERAL.—The Corporation may enter into a contract or cooperative agreement with another Federal agency to support a national service program carried out by the agency. The support provided by the Corporation pursuant to the contract or cooperative agreement may include the transfer to the Federal agency of funds available to the Corporation under this subtitle.

"(2) NONDUPLICATION.—A Federal agency that enters into a contract or cooperative agreement under paragraph (1) to support a national service program within a State—

"(A) shall consult with the State Commission serving the State to avoid duplication with any service program that is in existence in the State as of the date of the contract or cooperative agreement; and

"(B) shall, in an appropriate case, enter into a contract or cooperative agreement with an entity that is carrying out a service program described in subparagraph (A) that is of high quality, in order to support the national service program.

"(3) APPLICATION OF REQUIREMENTS.—A Federal agency receiving assistance under this subsection shall comply with the Federal share requirements of section 129(d)(2)(B). The supplementation requirements specified in section 173 shall apply with respect to the Federal national service programs supported with such assistance.

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

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

"(2) deposit in the National Service Trust established in section 145(a) an amount equal to the product of—

"(A) the value of a national service educational award under section 147; and

"(B) the total number of approved national service positions to be provided.

"(d) FIVE PERCENT LIMITATION ON ADMINISTRATIVE COSTS.—

"(1) LIMITATION.—Not more than 5 percent of the amount of assistance provided to the original recipient of a grant or transfer of assistance under subsection (a) or (b) for a fiscal year may be used to pay for administrative costs (including indirect costs) incurred by—

"(A) the recipient of the assistance; and

"(B) national service programs carried out or supported with the assistance.

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

"(A) assistance provided under subsection (a) or (b) may be used to cover administrative costs; and

"(B) that portion of the assistance available to cover administrative costs should be distributed between—

"(i) the original recipient of the grant or transfer of assistance under such subsection; and

"(ii) national service programs carried out or supported with the assistance.

"(e) MATCHING FUNDS REQUIREMENTS.—

"(1) REQUIREMENTS.—Except as provided in sections 129(d)(2)(B) and 140, the Federal share of the cost of carrying out a national service program that receives the assistance under subsection (a), whether the assistance is provided directly or as a subgrant from the original recipient of the assistance, may not exceed 75 percent of such cost.

"(2) CALCULATION.—

"(A) IN GENERAL.—In providing for the remaining share of the cost of carrying out a national service program, the program—

"(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

"(ii) may provide for such share through State sources, local sources, or other Federal sources (other than the use of funds made available under the national service laws).

"(B) COST OF HEALTH CARE.—In providing for such remaining share through a payment in cash, a national service program may count not more than 85 percent of the cost of providing health care policy described in section 140(d)(2) toward such share.

"(3) WAIVER.—The Corporation may waive in whole or in part the requirements of paragraph (1) with respect to a national service program in any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

"SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGIBLE FOR PROGRAM ASSISTANCE

"(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—The recipient of a grant under section 121(a) and each Federal agency receiving assistance under section 121(b) shall use the assistance, directly or through subgrants to other entities, to carry out full- or part-time national service programs, including summer programs, that address unmet human, educational, environmental, or public safety needs. Subject to subsection (b)(1), these national service programs may include the following types of national service programs:

"(1) A community corps program that meets unmet human, educational, environmental, or public safety needs and promotes greater community unity through the use of organized teams of participants of varied social and economic backgrounds, skill levels, capabilities, ages, ethnic backgrounds, or genders.

"(2) A full-time youth corps program, carried out during the summer or throughout the full calendar year, such as a conserva-

tion corps or youth service corps (including a conservation corps or youth service corps that performs service on Federal or other public lands or on Indian lands), that—

"(A) undertakes meaningful service projects with visible benefits to a community, including natural resource, urban renovation, rural development, or human services projects;

"(B) includes as participants youths and young adults between the ages of 16 and 25, inclusive, including out-of-school youths, other economically disadvantaged youths, and individuals with disabilities, who are between those ages; and

"(C) provides those participants who are youths and young adults with—

"(i) crew-based, highly structured, and adult-supervised work experience, life skills, education, career guidance and counseling, employment training, and support services; and

"(ii) the opportunity to develop citizenship values and skills through service to their community and the United States.

"(3) A program that provides specialized training to individuals in service-learning and places the individuals after such training in positions, including positions as service-learning coordinators, to facilitate service-learning in programs eligible for funding under part I subtitle B.

"(4) A service program that is targeted at specific unmet human, educational, environmental, or public safety needs and that—

"(A) recruits individuals with special skills or provides specialized preservice training to enable participants to be placed individually or in teams in positions in which the participants can meet such unmet needs; and

"(B) brings participants together for additional training and other activities designed to foster civic responsibility, increase the skills of participants, and improve the quality of the service provided.

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

"(6) A campus-based program that is designed to provide substantial service in a community during the school term and during summer or other vacation periods through the use of—

"(A) students who are attending an institution of higher education, including students participating in a work-study program assisted under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.);

"(B) teams composed of such students; or

"(C) teams composed of a combination of such students and community residents.

"(7) A preprofessional training program in which students enrolled in an institution of higher education—

"(A) receive training in specified fields, which may include classes containing service-learning;

"(B) perform service related to such training outside the classroom during the school term and during summer or other vacation periods; and

"(C) agree to provide service upon graduation to meet unmet human, educational, environmental, or public safety needs related to such training.

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

"(A) as teachers, nurses and other health care providers, police officers, early childhood development staff, engineers, or other professionals providing service to meet educational, human, environmental, or public safety needs in communities with an inadequate number of such professionals;

"(B) that may include a salary in excess of the maximum living allowance authorized in

subsection (a)(3) of section 140, as provided in subsection (c) of such section; and

"(C) that are sponsored by public or private not-for-profit employers who agree to pay 100 percent of the salaries and benefits (other than any national service educational award under subtitle D) of the participants.

"(9) A program in which economically disadvantaged individuals who are between the ages of 16 and 24 years of age, inclusive, are provided with opportunities to perform service that, while enabling such individuals to obtain the education and employment skills necessary to achieve economic self-sufficiency, will help their communities meet—

"(A) the housing needs of low-income families and the homeless; and

"(B) the need for community facilities in low-income areas.

"(10) A national service entrepreneur program that identifies, recruits, and trains gifted young adults of all backgrounds and assists such adults in designing solutions to community problems.

"(11) An intergenerational program that combines students, out-of-school youths, and older adults as participants to provide needed community services, including an intergenerational component of a national service program described in any of paragraphs (1) through (10), or in paragraph (12) or (13).

"(12) A program, to be known as a 'Communities in Action program', carried out by not-for-profit organizations, including community action agencies or combinations of such agencies, to provide opportunities for individuals or teams of individuals to engage in local community projects that meet important unaddressed community and individual needs in low-income areas served by such a not-for-profit organization, including service projects to meet the unaddressed needs of economically disadvantaged youth age 18 and younger (including providing safe locations for after-school programs that provide opportunities for learning and recreation).

"(13) Such other national service programs addressing unmet human, educational, environmental, or public safety needs as the Corporation may designate.

"(b) QUALIFICATION CRITERIA TO DETERMINE ELIGIBILITY.—

"(1) ESTABLISHMENT BY CORPORATION.—The Corporation shall establish qualification criteria for different types of national service programs for the purpose of determining whether a particular national service program should be considered to be a national service program eligible to receive assistance or approved national service positions under this subtitle.

"(2) CONSULTATION.—In establishing qualification criteria under paragraph (1), the Corporation shall consult with organizations and individuals that have extensive experience in developing and administering effective national service programs.

"(3) APPLICATION TO SUBGRANTS.—The qualification criteria established by the Corporation under paragraph (1) shall also be used by each recipient of assistance under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

"(4) ENCOURAGEMENT OF INTERGENERATIONAL COMPONENTS OF PROGRAMS.—The Corporation shall encourage national service programs eligible to receive assistance or approved national service positions under this subtitle to establish, if consistent with the purposes of the program, an intergenerational component of the program that combines students, out-of-school youths, and older adults as participants to provide services to address unmet human, education, environmental, or public safety needs.

"(c) NATIONAL SERVICE PRIORITIES.—

"(1) ESTABLISHMENT.—

"(A) BY CORPORATION.—In order to concentrate national efforts on meeting certain unmet human, educational, environmental, or public safety needs and to achieve the other purposes of this Act, the Corporation shall establish, and after reviewing the strategic plan approved under section 192A(g)(1), periodically alter priorities as appropriate regarding the types of national service programs to be assisted under subsection (b) or (d) of section 129 and the purposes for which such assistance may be used.

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

"(2) NOTICE TO APPLICANTS.—

"(A) IN GENERAL.—The Corporation shall provide to potential applicants advance notice of any national service priorities to be in effect under this subsection for a fiscal year.

"(B) CONTENTS.—The notice shall specifically include—

"(i) a description of any alteration made in the priorities since the previous notice; and

"(ii) a description of the national service programs that are designated by the Corporation under section 133(d)(2) as eligible for priority consideration in the next competitive distribution of assistance under section 121(a).

"(C) REGULATIONS.—The Corporation shall by regulation establish procedures to ensure the equitable treatment of national service programs that—

"(i) receive funding under this subtitle for multiple years; and

"(ii) would be adversely affected by annual revisions in such national service priorities.

"(3) APPLICATION TO SUBGRANTS.—Any recipient of funds under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs shall, in conducting such a grant program, make reasonable efforts to use any national service priorities established by the Corporation under this subsection.

"(d) EXISTING PROGRAMS.—Notwithstanding any other provision of this section, any program that received financial assistance under subtitle C or D of the National and Community Service Act of 1990, as in effect on the day before the date of enactment of this subsection, shall be eligible to receive financial assistance under this subtitle for a period of 30 months from the date of enactment of this subsection.

"SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGIBLE FOR APPROVAL FOR NATIONAL SERVICE EDUCATIONAL AWARDS.

"The Corporation may approve of any of the following service positions as an approved national service position that includes the national service educational award described in subtitle D as one of the benefits to be provided for successful service in the position:

"(1) A position for a participant in a national service program described in section 122(a) that receives assistance under subsection (a) or (b) of section 121.

"(2) A position for a participant in a program that—

"(A) is carried out by a State, a subdivision of a State, an Indian tribe, a public or private not-for-profit organization (including a community action agency), an institution of higher education, or a Federal agency; and

"(B) would be eligible to receive assistance under section 121(a), based on criteria estab-

lished by the Corporation, but has not applied for such assistance.

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

"(4) A position facilitating service-learning in a program described in section 122(a)(3) that is eligible for assistance under part I of subtitle B.

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

"(6) A position involving service as a crew leader in a youth corps program or a similar position supporting a national service program that receives an approved national service position.

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

"SEC. 124. TYPES OF PROGRAM ASSISTANCE.

"(a) PLANNING ASSISTANCE.—The Corporation may provide assistance under section 121 to a qualified applicant that submits an application under section 130 for the planning of a national service program. Assistance provided in accordance with this subsection may cover a period of not more than 1 year.

"(b) OPERATIONAL ASSISTANCE.—The Corporation may provide assistance under section 121 to a qualified applicant that submits an application under section 130 for the establishment, operation, or expansion of a national service program. Assistance provided in accordance with this subsection may cover a period of not more than 3 years, but may be renewed by the Corporation upon consideration of a new application under section 130.

"(c) REPLICATION ASSISTANCE.—The Corporation may provide assistance under section 121 to a qualified applicant that submits an application under section 130 for the expansion of a proven national service program to another geographical location. Assistance provided in accordance with this subsection may cover a period of not more than 3 years, but may be renewed by the Corporation upon consideration of a new application under section 130.

"(d) APPLICATION TO SUBGRANTS.—The requirements of this section shall apply to any State or other applicant receiving assistance under section 121 that proposes to conduct a grant program using the assistance to support other national service programs.

"SEC. 125. TRAINING AND TECHNICAL ASSISTANCE.

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

"(1) improve the ability of national service programs assisted under section 121 to meet human, educational, environmental, or public safety needs in communities—

"(A) where services are needed most; and

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

"(2) promote leadership development in such programs;

"(3) improve the instructional and programmatic quality of such programs to build an ethic of civic responsibility;

"(4) develop the management and budgetary skills of program operators; and

"(5) provide for or improve the training provided to the participants in such programs.

"(b) TECHNICAL ASSISTANCE.—The Corporation shall, where necessary, make appropriate technical assistance available to States, Indian tribes, labor organizations, or organizations operated by young adults, orga-

nizations serving economically disadvantaged individuals, and other entities described in section 121 that desire—

"(1) to develop national service programs;

"(2) to apply for assistance under such section or under a grant program conducted using assistance provided under such section.

"SEC. 124. OTHER SPECIAL ASSISTANCE.

"(A) SUPPORT FOR STATE COMMISSIONS.—

"(1) ASSISTANCE AUTHORIZED.—The Corporation may make assistance available to assist a State to establish or operate the State Commission on National and Community Service required to be established by the State under section 178.

"(2) AMOUNT OF ASSISTANCE.—The amount of assistance that may be provided to a State Commission under this subsection, together with other Federal funds available to establish or operate the State Commission, may not exceed—

"(A) 85 percent of the total cost to establish or operate the State Commission for the first year for which the State Commission receives assistance under this subsection; and

"(B) such smaller percentage of such cost as the Corporation may establish for the second, third, and fourth years of such assistance in order to ensure that the Federal share does not exceed 50 percent of such costs for the fifth year, and any subsequent year, for which the State Commission receives assistance under this subsection.

"(b) DISASTER SERVICE.—The Corporation may undertake activities, including activities carried out through part A of title I of the Domestic Volunteer Service Act of 1973, to involve in disaster relief efforts youth corps programs described in section 122(a)(2) and other programs that receive assistance under the national service laws.

"(c) CHALLENGE GRANTS FOR NATIONAL SERVICE PROGRAMS.—

"(1) ASSISTANCE AUTHORIZED.—

"(A) IN GENERAL.—The Corporation may make challenge grants under this subsection to national service programs that receive assistance under section 121.

"(B) CRITERIA.—The Corporation shall develop criteria for the selection of recipients of such challenge grants, so as to make the grants widely available to a variety of programs that—

"(1) are high-quality national service programs; and

"(2) are carried out by entities with demonstrated experience in establishing and implementing projects that provide benefits to participants and communities.

"(2) AMOUNT OF ASSISTANCE.—A challenge grant under this subsection may provide not more than \$1 of assistance under this subsection for each \$1 in cash raised by the national service program from private sources in excess of amounts required to be provided by the program to satisfy matching funds requirements under section 121(e). The Corporation shall establish a ceiling on the amount of assistance that may be provided to a national service program under this subsection.

"PART II—APPLICATION AND APPROVAL PROCESS

"SEC. 125. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS BY COMPETITIVE AND OTHER MEANS.

"(a) ALLOTMENTS OF ASSISTANCE AND APPROVED POSITIONS TO STATES AND INDIAN TRIBES.—

"(1) ALLOTMENT OF ASSISTANCE TO CERTAIN STATES.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation shall make a grant

under section 121(a) (and a corresponding allotment of approved national service positions) to each of the several States (through the State Commission of the State), the District of Columbia, and the Commonwealth of Puerto Rico that has an application approved by the Corporation under section 133. The amount allotted as a grant to each such State under this paragraph for a fiscal year shall be equal to the amount that bears the same ratio to 33½ percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(2) ALLOTMENT OF ASSISTANCE TO OTHER JURISDICTIONS AND INDIAN TRIBES.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation shall reserve up to 1 percent of the allocated funds for grants under section 121(a) to Indian tribes, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted by the Corporation on a competitive basis in accordance with their respective needs. Palau shall also be eligible for a grant under this paragraph from the reserved funds until such time as the Compact of Free Association with Palau is ratified.

"(3) EFFECT OF FAILURE TO APPLY.—If a State or Indian tribe fails to apply for, or fails to give notice to the Corporation of its intent to apply for, an allotment under this subsection, the Corporation shall use the amount that would have been allotted under this subsection to the State or Indian tribe—

"(A) to make grants (and provide approved national service positions in connection with such grants) to other eligible entities under section 121 that propose to carry out national service programs in the State or on behalf of the Indian tribe; and

"(B) after making grants under paragraph (1), to make a reallocation to other States and Indian tribes with approved applications under section 130.

"(b) RESERVATION OF APPROVED POSITIONS.—

"(1) NUMBER RESERVED.—Except as provided in paragraph (2), the Corporation shall ensure that each individual selected during a fiscal year for assignment as a VISTA volunteer under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or as a participant in the Civilian Community Corps Demonstration Program under subtitle E shall receive the national service educational award described in subtitle D if the individual satisfies the eligibility requirements for the award. Funds for approved national service positions required by this paragraph for a fiscal year shall be deducted from the total funding for approved national service positions for that fiscal year.

"(2) TRANSITION.—The Corporation shall determine an equitable procedure for providing post-service educational awards to individuals who are selected for assignment as described in paragraph (1) after the date of enactment of this subtitle and before the effective date of section 203(c)(2) of the National and Community Service Trust Act of 1993.

"(c) RESERVATION FOR SPECIAL ASSISTANCE.—Subject to section 501(a)(2), of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under sections 125 and 126. The Corporation may not reserve more than \$10,000,000 for a fiscal year for challenge grants under section 125(c).

"(d) COMPETITIVE DISTRIBUTION OF REMAINING FUNDS.—

"(1) STATE COMPETITION.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation shall use not less than 33½ percent of the allocated funds to make grants to States (through the State Commissions) on a competitive basis under section 121(a).

"(2) FEDERAL AGENCIES AND OTHER APPLICANTS.—

"(A) IN GENERAL.—The Corporation shall distribute on a competitive basis to subdivisions of States (through the State Commissions), Indian tribes, public and private not-for-profit organizations (including labor organizations and community action agencies), institutions of higher education, and Federal agencies the remainder of the funds allocated by the Corporation for provision of assistance under section 121 for a fiscal year, after operation of paragraph (1) and subsections (a) and (c).

"(B) FEDERAL SHARE.—Notwithstanding section 121(e), if a Federal agency proposes to carry out a national service program using funds made available under subparagraph (A), and the Federal agency is authorized to use funds made available under Federal law (other than the national service laws) to carry out such a program, the Federal share attributable to this paragraph of the cost of carrying out the national service program shall be 50 percent of such cost. The President may by regulation specify the sources that may be used by the Federal agency to provide for the remaining share of such cost.

"(C) FEDERAL AGENCIES.—The Corporation may not distribute more than 30 percent of such remainder to Federal agencies for a fiscal year under subparagraph (A).

"(D) LIMITATIONS.—The Corporation shall limit the categories of eligible applicants for assistance under this paragraph consistent with the priorities established by the Corporation under section 133(d)(2).

"(3) PRIORITY.—In distributing the funds allocated by the Corporation for provision of assistance under section 121 for a fiscal year, after operation of subsections (a) and (c) and after using 33½ percent of such funds to make grants under paragraph (1), in determining whether to—

"(A) use an additional portion of the funds to make a grant under paragraph (1) to a State applicant; or

"(B) distribute the portion of the funds to an applicant that is a private not-for-profit organization under paragraph (2), the Corporation shall give preference to the private not-for-profit organization in any case in which the Corporation determines that the applicants have submitted applications of equal quality under section 130.

"(e) APPLICATION REQUIRED.—The allotment of assistance and approved national service positions to a State or Indian tribe under subsection (a), and the competitive distribution of assistance under subsection (d), shall be made by the Corporation only pursuant to an application submitted by a State or other applicant under section 130 and approved by the Corporation under section 133.

"(f) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allow-

able national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

"(g) SPONSORSHIP OF APPROVED NATIONAL SERVICE POSITIONS.—

"(1) SPONSORSHIP AUTHORIZED.—The Corporation may enter into agreements with persons or entities who offer to sponsor national service positions for which the person or entity will be responsible for supplying the funds necessary to provide a national service educational award. The distribution of these approved national service positions shall be made pursuant to the agreement, and the creation of these positions shall not be taken into consideration in determining the number of approved national service positions to be available for distribution under this section.

"(2) DEPOSIT OF CONTRIBUTION.—Funds provided pursuant to an agreement under paragraph (1) and any other funds contributed to the Corporation to support the activities of the Corporation under the national service laws shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.

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

"(a) TIME, MANNER, AND CONTENT OF APPLICATION.—To be eligible to receive assistance under section 121 and approved national service positions for participants who serve in the national service programs to be carried out using the assistance, a State, subdivision of a State, Indian tribe, public or private not-for-profit organization (including a community action agency), institution of higher education, or Federal agency shall prepare and submit to the Corporation an application at such time, in such manner, and containing such information as the Corporation may reasonably require.

"(b) TYPES OF APPLICATION INFORMATION.—In order to have adequate information upon which to consider an application under section 133, the Corporation—

"(1) may require that an applicant described in subsection (a) submit an application under subsection (a) containing—

"(A) a description of the national service programs proposed to be carried out directly by the applicant using assistance provided under section 121;

"(B) a description of the national service programs that are selected by the applicant to receive a grant from assistance requested under section 121 and a description of the process and criteria by which the programs were selected;

"(C) a description of other funding sources to be used, or sought to be used, for the national service programs referred to in subparagraphs (A) and (B), and, if the application is submitted for the purpose of seeking a renewal of assistance, a description of the success of the programs in reducing their reliance on Federal funds;

"(D) a description of the extent to which the projects to be conducted using the assistance will address unmet human, educational, environmental, or public safety needs and produce a direct benefit for the community in which the projects are performed;

"(E) a description of the plan to be used to recruit participants, including economically disadvantaged youth, for the national service programs referred to in subparagraphs (A) and (B);

"(F) a description of the manner in which the national service programs referred to in subparagraphs (A) and (B) build on existing programs, including Federal programs;

"(G) a description of the manner in which the national service programs referred to in

subparagraphs (A) and (B) will involve participants—

"(1) in projects that build an ethic of civic responsibility and produce a positive change in the lives of participants through training and participation in meaningful service experiences and opportunities for reflection on such experiences; and

"(2) in leadership positions in implementing and evaluating the program;

"(H) measurable goals for the national service programs referred to in subparagraphs (A) and (B), and a strategy to achieve such goals, in terms of—

"(i) the impact to be made in meeting unmet human, educational, environmental, or public safety needs; and

"(ii) the service experience to be provided to participants in the programs;

"(I) a description of the manner and extent to which the national service programs referred to in subparagraphs (A) and (B) conform to the national service priorities established by the Corporation under section 122(c);

"(J) a description of the past experience of the applicant in operating a comparable program or in conducting a grant program in support of other comparable programs;

"(K) a description of the type and number of proposed service positions in which participants will receive the national service educational award described in subtitle D and a description of the manner in which approved national service positions will be apportioned by the applicant;

"(L) a description of the manner and extent to which participants, representatives of the community served, community-based agencies with a demonstrated record of experience in providing services, and labor organizations contributed to the development of the national service programs referred to in subparagraphs (A) and (B), including the identity of the individual representing the labor organization who was consulted and the nature of the consultation;

"(M) a description of a plan to be used to encourage women to participate in programs referred to in subparagraphs (A) and (B); and

"(N) such other information as the Corporation may reasonably require; and

"(2) shall require that the applicant submit an application under subsection (a) containing—

"(A) a description of the jobs or positions into which participants will be placed using the assistance provided under section 121, including descriptions of specific tasks to be performed by such participants; and

"(B) a description of the minimum qualifications that individuals shall meet to become participants in such programs.

"(c) APPLICATION TO RECEIVE ONLY APPROVED NATIONAL SERVICE POSITIONS.—

"(1) APPLICABILITY OF SUBSECTION.—This subsection shall apply in the case of an application in which—

"(A) the applicant is not seeking assistance under subsection (a) or (b) of section 121, but requests national service educational awards for individuals serving in service positions described in section 123; or

"(B) the applicant requests national service educational awards for service positions described in section 123, but the positions are not positions in a national service program described in section 122(a) for which assistance may be provided under subsection (a) or (b) of section 121.

"(2) SPECIAL APPLICATION REQUIREMENTS.—For the applications described in paragraph (1), the Corporation shall establish special application requirements in order to determine—

"(A) whether the service positions meet unmet human, educational, environmental,

or public safety needs and meet the criteria for assistance under this subtitle; and

"(B) whether the Corporation should approve the positions as approved national service positions that include the national service educational award described in subtitle D as one of the benefits to be provided for successful service in the position.

"(d) SPECIAL RULE FOR STATE APPLICATIONS.—

"(1) SUBMISSION BY STATE COMMISSION.—The application of a State for approved national service positions or for a grant under section 121(a) shall be submitted by the State Commission.

"(2) COMPETITIVE SELECTION.—The application of a State shall contain an assurance that all assistance provided under section 121(a) to the State will be used to support national service programs that were selected by the State on a competitive basis.

"(3) ASSISTANCE TO NONSTATE ENTITIES.—The application of a State shall also contain an assurance that not less than 60 percent of the assistance will be used to make grants in support of national service programs other than national service programs carried out by a State agency. The Corporation may permit a State to deviate from the percentage specified by this paragraph if the State has not received a sufficient number of acceptable applications to comply with the percentage.

"(e) SPECIAL RULE FOR CERTAIN SERVICE SPONSORS.—In the case of a program applicant that proposes to serve as the service sponsor, the application shall include the written concurrence of any local labor organization representing employees of the applicant who are engaged in the same or substantially similar work as that proposed to be carried out.

"(f) LIMITATION ON SAME PROJECT IN MULTIPLE APPLICATIONS.—No applicant shall submit an application under this section, and the Corporation shall reject an application that is submitted under this section, if the application describes a project proposed to be conducted using assistance requested by the applicant and the project is already described in another application pending before the Corporation.

"SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE REQUIREMENTS.

"(a) IMPACT ON COMMUNITIES.—An application submitted under section 130 shall include an assurance by the applicant that any national service program carried out by the applicant using assistance provided under section 121 and any national service program supported by a grant made by the applicant using such assistance will—

"(1) address unmet human, educational, environmental, or public safety needs through services that provide a direct benefit to the community in which the service is performed; and

"(2) comply with the nonduplication and nondisplacement requirements of section 177.

"(b) IMPACT ON PARTICIPANTS.—An application submitted under section 130 shall also include an assurance by the applicant that any national service program carried out by the applicant using assistance provided under section 121 and any national service program supported by a grant made by the applicant using such assistance will—

"(1) provide participants in the national service program with the training, skills, and knowledge necessary for the projects that participants are called upon to perform;

"(2) provide support services to participants, such as the provision of appropriate information and support—

"(A) to those participants who are completing a term of service and making the transition to other educational and career opportunities; and

"(B) to those participants who are school dropouts in order to assist those participants in earning the equivalent of a high school diploma; and

"(3) provide structured opportunities for participants to reflect on their service experiences.

"(c) CONSULTATION.—An application submitted under section 130 shall also include an assurance by the applicant that any national service program carried out by the applicant using assistance provided under section 121 and any national service program supported by a grant made by the applicant using such assistance will—

"(1) provide in the design, recruitment, and operation of the program for broad-based input from the community served, individuals eligible to serve as participants in the program, community-based agencies (including community action agencies) with a demonstrated record of experience in providing services, and local labor organizations representing employees of service sponsors;

"(2) prior to the placement of participants, consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program to ensure compliance with the nondisplacement requirements specified in section 177; and

"(3) in the case of a program that is not funded through a State, consult with and coordinate activities with the State Commission for the State in which the program operates.

"(d) EVALUATION AND PERFORMANCE GOALS.—

"(1) IN GENERAL.—An application submitted under section 130 shall also include an assurance by the applicant that the applicant will—

"(A)(i) arrange for an independent evaluation of any national service program carried out using assistance provided to the applicant under section 121; or

"(ii) with the approval of the Corporation, conduct an internal evaluation of the program;

"(B) develop measurable performance goals and evaluation methods (such as the use of surveys of participants and persons served), which are to be used as part of such evaluation to determine the impact of the program—

"(i) on communities and persons served by the projects performed by the program;

"(ii) on participants who take part in the projects; and

"(iii) in such other areas as the Corporation may require; and

"(C) cooperate with any evaluation activities undertaken by the Corporation.

"(2) ALTERNATIVE EVALUATION REQUIREMENTS.—The Corporation may establish alternative evaluation requirements for national service programs based upon the amount of assistance received under section 121 or received by a grant made by a recipient of assistance under such section. The determination of whether a national service program is covered by this paragraph shall be made in such manner as the Corporation may prescribe.

"(e) LIVING ALLOWANCES AND OTHER IN-SERVICE BENEFITS.—Except as provided in section 140(c), an application submitted under section 130 shall also include an assurance by the applicant that the applicant will—

"(1) provide a living allowance and other benefits specified in section 140 to participants in any national service program carried out by the applicant using assistance provided under section 121; and

"(2) require that each national service program that receives a grant from the appli-

cant using such assistance will also provide a living allowance and other benefits specified in section 140 to participants in the program.

"(f) SELECTION OF PARTICIPANTS FROM INDIVIDUALS RECRUITED BY CORPORATION OR STATE COMMISSIONS.—The Corporation may also require an assurance by the applicant that any national service program carried out by the applicant using assistance provided under section 121 and any national service program supported by a grant made by the applicant using such assistance will select a portion of the participants for the program from among prospective participants recruited by the Corporation or State Commissions under section 138(d). The Corporation may specify a minimum percentage of participants to be selected from the national leadership pool established under section 138(e) and may vary the percentage for different types of national service programs.

"SEC. 132. INELIGIBLE SERVICE CATEGORIES.

"(a) IN GENERAL.—Except as provided in subsections (b) and (c), an application submitted to the Corporation under section 130 shall include an assurance by the applicant that any national service program carried out using assistance provided under section 121 and any approved national service position provided to an applicant will not be used to perform service that provides a direct benefit to any—

"(1) business organized for profit;

"(2) labor union;

"(3) partisan political organization;

"(4) organization engaged in religious activities, unless such service does not involve the use of assistance provided under section 121 or participants to give religious instruction, conduct worship services, provide instruction as part of a program that includes mandatory religious education or worship, construct, operate, or maintain facilities devoted to religious instruction or worship, or engage in any form of proselytization; or

"(5) organization that expends more than 20 percent of the annual budget of the organization, or whose primary purpose is, to influence public policy or engage in legislative advocacy activities.

"(b) ADVOCACY ACTIVITIES.—Nothing in this section shall be construed to prevent participants from engaging in advocacy activities undertaken at their own initiative.

"(c) REGIONAL CORPORATION.—The requirement of subsection (a) relating to an assurance regarding direct benefits to businesses organized for profit shall not apply with respect to a Regional Corporation, as defined in section 3(g) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(g)), that is established in accordance with such Act as a for-profit corporation but that is engaging in not-for-profit activities.

"SEC. 133. CONSIDERATION OF APPLICATIONS.

"(a) CORPORATION CONSIDERATION OF CERTAIN CRITERIA.—The Corporation shall apply the criteria described in subsections (c) and (d) in determining whether—

"(1) to approve an application submitted under section 130 and provide assistance under section 121 to the applicant; and

"(2) to approve service positions described in the application as national service positions that include the national service educational award described in subtitle D and provide such approved national service positions to the applicant.

"(b) APPLICATION TO SUBGRANTS.—

"(1) IN GENERAL.—A State or other entity that uses assistance provided under section 121(a) to support national service programs selected on a competitive basis to receive a share of the assistance shall use the criteria described in subsections (c) and (d) when considering an application submitted by a na-

tional service program to receive a portion of such assistance or an approved national service position.

"(2) CONTENTS.—The application of the State or other entity under section 130 shall contain—

"(A) a certification that the State or other entity complied with these criteria in the selection of national service programs to receive assistance;

"(B) a description of the jobs or positions into which participants will be placed using such assistance, including descriptions of specific tasks to be performed by such participants; and

"(C) a description of the minimum qualifications that individuals shall meet to become participants in such programs.

"(c) ASSISTANCE CRITERIA.—The criteria required to be applied in evaluating applications submitted under section 130 are as follows:

"(1) The quality of the national service program proposed to be carried out directly by the applicant or supported by a grant from the applicant.

"(2) The innovative aspects of the national service program, and the feasibility of replicating the program.

"(3) The sustainability of the national service program, based on evidence such as the existence—

"(A) of strong and broad-based community support for the program; and

"(B) of multiple funding sources or private funding for the program.

"(4) The quality of the leadership of the national service program, the past performance of the program, and the extent to which the program builds on existing programs.

"(5) The extent to which participants of the national service program are recruited from among residents of the communities in which projects are to be conducted, and the extent to which participants and community residents are involved in the design, leadership, and operation of the program.

"(6) The extent to which projects would be conducted in areas where such projects are needed most, such as—

"(A) communities designated as enterprise zones or redevelopment areas, targeted for special economic incentives, or otherwise identifiable as having high percentages or concentrations of low-income individuals;

"(B) areas that are environmentally distressed;

"(C) areas adversely affected by reductions in defense spending or the closure or realignment of military installations; and

"(D) areas—

"(i) that have experienced a substantial reduction in population, as determined by the Corporation; and

"(ii) with high numbers or percentages of economically disadvantaged older adults.

"(7) In the case of applicants other than States, the extent to which the application is consistent with the application under section 130 of the State in which the projects would be conducted.

"(8) Such other criteria as the Corporation considers to be appropriate.

"(d) OTHER CONSIDERATIONS.—

"(1) GEOGRAPHIC DIVERSITY.—The Corporation shall ensure that recipients of assistance provided under section 121 are geographically diverse and include projects to be conducted in those urban and rural areas in a State with the highest rates of poverty.

"(2) PRIORITIES.—

"(A) IN GENERAL.—The Corporation may designate, under such criteria as may be established by the Corporation, certain national service programs or types of national service programs described in section 122(a) for priority consideration in the competitive distribution of funds under section 129(d)(2).

"(B) PROGRAMS DESIGNATED TO RECEIVE PRIORITY.—In designating national service programs to receive priority, the Corporation may include—

"(i) national service programs carried out by another Federal agency;

"(ii) national service programs that conform to the national service priorities in effect under section 122(c);

"(iii) innovative national service programs;

"(iv) national service programs that are well established in one or more States at the time of the application and are proposed to be expanded to additional States using assistance provided under section 121;

"(v) grant programs in support of other national service programs if the grant programs are to be conducted by not-for-profit organizations (including community action agencies) with a demonstrated and extensive expertise in the provision of services to meet human, educational, environmental, or public safety needs;

"(vi) professional corps programs described in section 122(a)(8); and

"(vii) programs that—

"(I) received funding under subtitle D of this Act, as in effect on the day before the date of enactment of this subtitle;

"(II) the Corporation determines to meet the requirements of sections 142 (other than subsection (g)), 143, and 148 through 150 of this Act, as in effect on such day, in addition to the requirements of this subtitle; and

"(III) include an evaluation component.

"(C) EXCEPTION.—In making a competitive distribution of funds under section 129(d)(2), the President may give priority consideration to a national service program that is—

"(i) proposed in an application submitted by a State Commission; and

"(ii) not one of the types of programs described in clauses (i) through (vi) of subparagraph (B).

If the State Commission provides an adequate explanation of the reasons why it should not be a priority of such State to carry out any of such types of programs in the State.

"(3) REVIEW PANEL.—The President shall—

"(A) establish panels of experts for the purpose of securing recommendations on applications submitted under section 130 for more than \$100,000 in assistance, or for national service positions that would require more than \$100,000 in national service educational awards; and

"(B) consider the opinions of such panels prior to making such determinations.

"(e) EMPHASIS ON AREAS MOST IN NEED.—In making assistance available under section 121 and in providing approved national service positions under section 123, the Corporation shall ensure that not less than 50 percent of the total amount of assistance to be distributed to States under subsections (a) and (d)(1) of section 129 for a fiscal year is provided to carry out or support national service programs and projects that—

"(1) are conducted in areas described in any of subparagraphs (A) through (D) of subsection (c)(6) or on Federal or other public lands, to address unmet human, educational, environmental, or public safety needs in such areas or on such lands; and

"(2) place a priority on the recruitment of participants who are residents of areas described in any of subparagraphs (A) through (D) of subsection (c)(6) or Federal or other public lands.

"(f) REJECTION OF STATE APPLICATIONS.—

"(1) NOTIFICATION OF STATE APPLICANTS.—If the Corporation rejects an application submitted by a State Commission under section 130 for funds described in section 129(a)(1), the Corporation shall promptly notify the

State Commission of the reasons for the rejection of the application.

"(2) RESUBMISSION AND RECONSIDERATION.—The Corporation shall provide a State Commission notified under paragraph (1) with a reasonable opportunity to revise and resubmit the application. At the request of the State Commission, the Corporation shall provide technical assistance to the State Commission as part of the resubmission process. The Corporation shall promptly reconsider an application resubmitted under this paragraph.

"(3) REALLOTMENT.—The amount of any State's allotment under section 129(a) for a fiscal year that the Corporation determines will not be provided for that fiscal year shall be available for distribution by the Corporation as provided in paragraph (3) of such subsection.

"PART III—NATIONAL SERVICE PARTICIPANTS

"SEC. 137. DESCRIPTION OF PARTICIPANTS.

"(a) IN GENERAL.—For purposes of this subtitle, an individual shall be considered to be a participant in a national service program carried out using assistance provided under section 121 if the individual—

"(1) meets such eligibility requirements, directly related to the tasks to be accomplished, as may be established by the program;

"(2) is selected by the program to serve in a position with the program;

"(3) will serve in the program for a term of service specified in section 139 to be performed before, during, or after attendance at an institution of higher education;

"(4) is 17 years of age or older at the time the individual begins the term of service;

"(5)(A)(i) has received a high school diploma or its equivalent; or

"(ii) agrees to obtain a high school diploma or its equivalent and the individual did not drop out of an elementary or secondary school to enroll in the program; or

"(B)(i) is enrolled at an institution of higher education on the basis of meeting the standard described in paragraph (1) or (2) of section 484(d) of the Higher Education Act of 1965 (20 U.S.C. 1091(d)); and

"(ii) meets the requirements of section 484(a) of such Act; and

"(6) is a citizen of the United States or lawfully admitted for permanent residence.

"(b) SPECIAL RULES FOR CERTAIN YOUTH PROGRAMS.—An individual shall be considered to be a participant in a youth corps program described in section 122(a)(2) or a program described in section 122(a)(9) that is carried out with assistance provided under section 121(a) if the individual—

"(1) satisfies the requirements specified in subsection (a), except paragraph (4) of such subsection; and

"(2) is between the ages of 16 and 25, inclusive, at the time the individual begins the term of service.

"(c) WAIVER.—The Corporation may waive the requirements of subsection (a)(5)(A) with respect to an individual if the program in which the individual seeks to become a participant conducts an independent evaluation demonstrating that the individual is incapable of obtaining a high school diploma or its equivalent.

"SEC. 138. SELECTION OF NATIONAL SERVICE PARTICIPANTS.

"(a) SELECTION PROCESS.—Subject to subsections (b) and (c) and section 131(f), the actual recruitment and selection of an individual to serve in a national service program receiving assistance under section 121 or to fill an approved national service position shall be conducted by the State, subdivision of a State, Indian tribe, public or private not-for-profit organization, institution of higher

education, Federal agency, or other entity to which the assistance and approved national service positions are provided.

"(b) NONDISCRIMINATION AND NONPOLITICAL SELECTION OF PARTICIPANTS.—The recruitment and selection of individuals to serve in national service programs receiving assistance under section 121 or to fill approved national service positions shall be consistent with the requirements of section 175.

"(c) SECOND TERM.—Acceptance into a national service program to serve a second term of service under section 139 shall only be available to individuals who perform satisfactorily in their first term of service.

"(d) RECRUITMENT AND PLACEMENT.—The Corporation and each State Commission shall establish a system to recruit individuals who desire to perform national service and to assist the placement of these individuals in approved national service positions, including positions available under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951). The Corporation and State Commissions shall disseminate information regarding available approved national service positions through cooperation with secondary schools, institutions of higher education, employment service offices, State vocational rehabilitation agencies within the meaning of the Rehabilitation Act of 1973 and other State agencies that primarily serve individuals with disabilities, and other appropriate entities, particularly those organizations that provide outreach to economically disadvantaged youths or youths who are individuals with disabilities.

"(e) NATIONAL LEADERSHIP POOL.—

"(1) SELECTION AND TRAINING.—From among individuals recruited under subsection (d), the Corporation may select individuals with significant leadership potential, as determined by the Corporation, to receive special training to enhance their leadership ability. The leadership training shall be provided by the Corporation directly or through a grant or contract.

"(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In selecting individuals to receive leadership training under this subsection, the Corporation shall make special efforts to select individuals who have served—

"(A) in the Peace Corps;

"(B) as VISTA volunteers;

"(C) as participants in national service programs receiving assistance under section 121; or

"(D) as participants in programs receiving assistance under subtitle D of the National and Community Service Act of 1990, as in effect on the day before the date of enactment of this subtitle.

"(3) ASSIGNMENT.—At the request of a program that receives assistance under the national service laws, the Corporation may assign an individual who receives leadership training under paragraph (1) to work with the program in a leadership position and carry out assignments not otherwise performed by regular participants. An individual assigned to a program shall be considered to be a participant of the program.

"SEC. 139. TERMS OF SERVICE.

"(a) IN GENERAL.—As a condition of receiving a national service educational award under subtitle D, a participant in an approved national service position shall be required to perform full- or part-time national service for at least one term of service specified in subsection (b).

"(b) TERM OF SERVICE.—

"(1) FULL-TIME SERVICE.—An individual performing full-time national service in an approved national service position shall agree to participate in the program sponsoring the position for not less than 1,700 hours during a period of not less than 9 months and not more than 1 year.

"(2) **PART-TIME SERVICE.**—Except as provided in paragraph (3), an individual performing part-time national service in an approved national service position shall agree to participate in the program sponsoring the position for not less than 900 hours during a period of—

"(A) not more than 2 years; or

"(B) not more than 3 years if the individual is enrolled in an institution of higher education while performing all or a majority of the hours of such service.

"(3) **REDUCTION IN HOURS OF PART-TIME SERVICE.**—The Corporation may reduce the number of hours required to be served to successfully complete part-time national service to a level determined by the Corporation, except that any reduction in the required term of service shall include a corresponding reduction in the amount of any national service educational award that may be available under subtitle D with regard to that service.

"(c) **RELEASE FROM COMPLETING TERM OF SERVICE.**—

"(1) **RELEASE AUTHORIZED.**—A recipient of assistance under section 121 or a program sponsoring an approved national service position may release a participant from completing a term of service in the position—

"(A) for compelling personal circumstances as demonstrated by the participant; or

"(B) for cause.

"(2) **EFFECT OF RELEASE.**—If the released participant was serving in an approved national service position, the participant may receive a portion of the national service educational award corresponding to that service in the manner provided in section 147(b), except that a participant released for cause may not receive any portion of the national service educational award.

"SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE PARTICIPANTS.

"(a) **PROVISION OF LIVING ALLOWANCE.**—

"(1) **LIVING ALLOWANCE PERMITTED.**—Subject to paragraph (3), a national service program carried out using assistance provided under section 121 shall provide to each participant in the program a living allowance in such an amount as may be established by the program.

"(2) **LIMITATION ON FEDERAL SHARE.**—The amount of the annual living allowance provided under paragraph (1) that may be paid using assistance provided under section 121 and using any other Federal funds shall not exceed the lesser of—

"(A) 85 percent of the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955); and

"(B) 85 percent of the annual living allowance established by the national service program involved.

"(3) **MAXIMUM LIVING ALLOWANCE.**—Except as provided in subsection (c), the total amount of an annual living allowance that may be provided to a participant in a national service program shall not exceed 200 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

"(4) **PRORATION OF LIVING ALLOWANCE.**—The amount provided as a living allowance under this subsection shall be prorated in the case of a participant who is authorized to serve a reduced term of service under section 139(b)(3).

"(b) **COVERAGE OF CERTAIN EMPLOYMENT-RELATED TAXES.**—To the extent a national service program that receives assistance under section 121 is subject, with respect to the participants in the program, to the taxes imposed on an employer under sections 3111

and 3301 of the Internal Revenue Code of 1986 (26 U.S.C. 3111, 3301) and taxes imposed on an employer under a workmen's compensation act, the assistance provided to the program under section 121 shall include an amount sufficient to cover 85 percent of such taxes based upon the lesser of—

"(1) the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955); and

"(2) the annual living allowance established by the program.

"(c) **EXCEPTION FROM MAXIMUM LIVING ALLOWANCE FOR CERTAIN ASSISTANCE.**—A professional corps program described in section 122(a)(8) that desires to provide a living allowance in excess of the maximum allowance authorized in subsection (a)(3) may still apply for such assistance, except that—

"(1) any assistance provided to the applicant under section 121 may not be used to pay for any portion of the allowance;

"(2) the applicant shall apply for such assistance only by submitting an application to the Corporation for assistance on a competitive basis; and

"(3) the national service program shall be operated directly by the applicant and shall meet urgent, unmet human, educational, environmental, or public safety needs, as determined by the Corporation.

"(d) **HEALTH INSURANCE.**—

"(1) **IN GENERAL.**—A State or other recipient of assistance under section 121 shall provide a basic health care policy for each full-time participant in a national service program carried out or supported using the assistance if the participant is not otherwise covered by a health care policy. Not more than 85 percent of the cost of a premium shall be provided by the Corporation, with the remaining cost paid by the entity receiving assistance under section 121. The Corporation shall establish minimum standards that all plans shall meet in order to qualify for payment under this part, any circumstances in which an alternative health care policy may be substituted for the basic health care policy, and mechanisms to prohibit participants from dropping existing coverage.

"(2) **OPTION.**—A State or other recipient of assistance under section 121 may elect to provide from the funds of the State or recipient a health care policy for participants that does not meet all of the standards established by the Corporation if the fair market value of such policy is equal to or greater than the fair market value of a plan that meets the minimum standards established by the Corporation, and is consistent with other applicable laws.

"(e) **CHILD CARE.**—

"(1) **AVAILABILITY.**—A State or other recipient of assistance under section 121 shall—

"(A) make child care available for children of each full-time participant who needs child care in order to participate in a national service program carried out or supported by the recipient using the assistance; or

"(B) provide a child care allowance to each full-time participant in a national service program who needs such assistance in order to participate in the program.

"(2) **GUIDELINES.**—The Corporation shall establish guidelines regarding the circumstances under which child care shall be made available under this subsection and the value of any allowance to be provided.

"(f) **WAIVER OF LIMITATION ON FEDERAL SHARE.**—The Corporation may waive in whole or in part the limitation on the Federal share specified in this section with respect to a particular national service program in any fiscal year if the Corporation determines that such a waiver would be equi-

table due to a lack of available financial resources at the local level.

"(g) **LIMITATION ON NUMBER OF TERMS OF SERVICE FOR FEDERALLY SUBSIDIZED LIVING ALLOWANCE.**—No national service program may use assistance provided under section 121, or any other Federal funds, to provide a living allowance under subsection (a), a health care policy under subsection (d), or child care or a child care allowance under subsection (e), to an individual for a third, or subsequent, term of service described in section 139(b) by the individual in a national service program carried out under this subtitle.

"SEC. 141. NATIONAL SERVICE EDUCATIONAL AWARDS.

"(a) **ELIGIBILITY GENERALLY.**—A participant in a national service program carried out using assistance provided to an applicant under section 121 shall be eligible for the national service educational award described in subtitle D if the participant—

"(1) serves in an approved national service position; and

"(2) satisfies the eligibility requirements specified in section 146 with respect to service in that approved national service position.

"(b) **SPECIAL RULE FOR VISTA VOLUNTEERS.**—A VISTA volunteer who serves in an approved national service position shall be ineligible for a national service educational award if the VISTA volunteer accepts the stipend authorized under section 105(a)(1) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955(a)(1)).

"(b) **TABLE OF CONTENTS.**—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the items relating to subtitle C of title I of such Act and inserting the following new items:

"Subtitle C—National Service Trust Program

"PART I—INVESTMENT IN NATIONAL SERVICE

"Sec. 121. Authority to provide assistance and approved national service positions.

"Sec. 122. Types of national service programs eligible for program assistance.

"Sec. 123. Types of national service positions eligible for approval for national service educational awards.

"Sec. 124. Types of program assistance.

"Sec. 125. Training and technical assistance.

"Sec. 126. Other special assistance.

"PART II—APPLICATION AND APPROVAL PROCESS

"Sec. 129. Provision of assistance and approved national service positions by competitive and other means.

"Sec. 130. Application for assistance and approved national service positions.

"Sec. 131. National service program assistance requirements.

"Sec. 132. Ineligible service categories.

"Sec. 133. Consideration of applications.

"PART III—NATIONAL SERVICE PARTICIPANTS

"Sec. 137. Description of participants.

"Sec. 138. Selection of national service participants.

"Sec. 139. Terms of service.

"Sec. 140. Living allowances for national service participants.

"Sec. 141. National service educational awards."

SEC. 102. NATIONAL SERVICE TRUST AND PROVISION OF NATIONAL SERVICE EDUCATIONAL AWARDS.

"(a) **ESTABLISHMENT OF TRUST; PROVISION OF AWARDS.**—Subtitle D of title I of the Na-

tional and Community Service Act of 1990 (42 U.S.C. 12571 et seq.) is amended to read as follows:

"Subtitle D—National Service Trust and Provision of National Service Educational Awards

"SEC. 145. ESTABLISHMENT OF THE NATIONAL SERVICE TRUST.

"(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account to be known as the National Service Trust. The Trust shall consist of—

"(1) from the amounts appropriated to the Corporation and made available to carry out this subtitle pursuant to section 501(a)(2), such amounts as the Corporation may designate to be available for the payment of—

"(A) national service educational awards; and

"(B) interest expenses pursuant to subsection 148(e);

"(2) any amounts received by the Corporation as gifts, bequests, devise, or otherwise pursuant to section 196(a)(2); and

"(3) the interest on, and proceeds from the sale or redemption of, any obligations held by the Trust.

"(b) INVESTMENT OF TRUST.—It shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated to the Trust. Except as otherwise expressly provided in instruments concerning a gift, bequest, devise, or other donation and agreed to by the Corporation, such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the marketplace. Any obligation acquired by the Trust may be sold by the Secretary at the market price.

"(c) EXPENDITURES FROM TRUST.—Amounts in the Trust shall be available, to the extent provided for in advance by appropriation, for payments of national service educational awards in accordance with section 148.

"(d) REPORTS TO CONGRESS ON RECEIPTS AND EXPENDITURES.—The Corporation shall submit an annual report to the Congress on the financial status of the Trust. Such report shall—

"(1) specify the amount deposited to the Trust from the most recent appropriation to the Corporation, the amount received by the Corporation as gifts or bequest during the period covered by the report, and any amounts obtained by the Trust pursuant to subsection (a)(3);

"(2) identify the number of individuals who are currently performing service to qualify, or have qualified, for national service educational awards;

"(3) identify the number of individuals whose expectation to receive national service educational awards during the period covered by the report—

"(A) has been reduced pursuant to section 147(b); or

"(B) has lapsed pursuant to section 146(d); and

"(4) estimate the number of additional approved national service positions which the Corporation will be able to make available under subtitle C on the basis of any accumulated surplus in the Trust above the amount required to provide national service educational awards to individuals identified under paragraph (2), including any amounts available as a result of the circumstances referred to in paragraph (3).

"SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL SERVICE EDUCATIONAL AWARD FROM THE TRUST.

"(a) ELIGIBLE INDIVIDUALS.—An individual shall be eligible to receive a national service

educational award from the National Service Trust if the individual—

"(1) successfully completes the required term of service described in subsection (b) in an approved national service position;

"(2) was 17 years of age or older at the time the individual began serving in the approved national service position or was an out-of-school youth serving in an approved national service position with a youth corps program described in section 122(a)(2) or a program described in section 122(a)(9);

"(3) at the time the individual uses the national service educational award—

"(A) has received a high school diploma, or the equivalent of such diploma;

"(B)(1) is enrolled at an institution of higher education on the basis of meeting the standard described in paragraph (1) or (2) of section 484(d) of the Higher Education Act of 1965 (20 U.S.C. 1091(d)); and

"(1) meets the requirements of section 484(a) of such Act; or

"(C) has received a waiver described in section 137(c); and

"(4) is a citizen of the United States or lawfully admitted for permanent residence.

"(b) TERM OF SERVICE.—The term of service for an approved national service position shall not be less than the full- or part-time term of service specified in section 139(b).

"(c) LIMITATION ON NUMBER OF TERMS OF SERVICE FOR AWARDS.—Although an individual may serve more than 2 terms of service described in subsection (b) in an approved national service position, the individual shall receive a national service educational award from the National Service Trust only on the basis of the first and second of such terms of service.

"(d) TIME FOR USE OF EDUCATIONAL AWARD.—

"(1) FIVE-YEAR REQUIREMENT.—An individual eligible to receive a national service educational award under this section may not use such award after the end of the 5-year period beginning on the date the individual completes the term of service in an approved national service position that is the basis of the award.

"(2) EXCEPTION.—The Corporation may extend the period within which an individual may use a national service educational award if the Corporation determines that the individual—

"(A) was unavoidably prevented from using the national service educational award during the original 5-year period; or

"(B) performed another term of service in an approved national service position during that period.

"SEC. 147. DETERMINATION OF THE AMOUNT OF THE NATIONAL SERVICE EDUCATIONAL AWARD.

"(a) AMOUNT GENERALLY.—Except as provided in subsection (b), an individual described in section 146(a) who successfully completes a required term of full-time service as provided in section 139(b)(1) in an approved national service position shall receive a national service educational award having a value equal to \$5,000 for each of not more than 2 of such terms of service. Except as provided in subsection (b), an individual described in section 146(a) who successfully completes a required term of part-time service as provided in section 139(b)(2) in an approved national service position shall receive a national service educational award having a value equal to \$2,500 for each of not more than 2 of such terms of service.

"(b) AWARD FOR PARTIAL COMPLETION OF SERVICE.—If an individual serving in an approved national service position is released in accordance with section 139(c)(1)(A) from completing the term of service agreed to by the individual, the Corporation may provide the individual with that portion of the na-

tional service educational award approved for the individual that corresponds to the quantity of the term of service actually completed by the individual.

"SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDUCATIONAL AWARDS.

"(a) IN GENERAL.—Amounts in the Trust shall be available—

"(1) to repay student loans in accordance with subsection (b);

"(2) to pay all or part of the cost of attendance at an institution of higher education in accordance with subsection (c);

"(3) to pay expenses incurred in participating in an approved school-to-work program in accordance with subsection (d); and

"(4) to pay interest expenses in accordance with regulations prescribed pursuant to subsection (e).

"(b) USE OF EDUCATIONAL AWARD TO REPAY OUTSTANDING STUDENT LOANS.—

"(1) APPLICATION BY ELIGIBLE INDIVIDUALS.—An eligible individual under section 146 who desires to apply the national service educational award of the individual to the repayment of qualified student loans shall submit, in a manner prescribed by the Corporation, an application to the Corporation that—

"(A) identifies, or permits the Corporation to identify readily, the holder or holders of such loans;

"(B) indicates, or permits the Corporation to determine readily, the amounts of principal and interest outstanding on the loans;

"(C) specifies the qualified student loan to which the individual desires to apply the national service educational award, in any case in which the total of the amounts described in subparagraph (B) is greater than the amount of the national service educational award to which the individual is entitled; and

"(D) contains or is accompanied by such other information as the Corporation may require.

"(2) DISBURSEMENT OF REPAYMENTS.—Upon receipt of an application from an eligible individual of an application that complies with paragraph (1), the Corporation shall, as promptly as practicable consistent with paragraph (5), disburse the amount of the national service educational award that the participant has earned. Such disbursement shall be made by check or other means that is payable to the holder of the loan and requires the endorsement or other certification by the eligible individual.

"(3) APPLICATION OF DISBURSED AMOUNTS.—If the amount disbursed under paragraph (2) is less than the principal and accrued interest on any qualified student loan, such amount shall first be applied to the repayment of principal. In a case described in paragraph (1)(C), such amount shall be applied to the loan described in paragraph (1)(C).

"(4) REPORTS BY HOLDERS.—Any holder receiving a loan payment pursuant to this subsection shall submit to the Corporation such information as the Corporation may require to verify that such payment was applied in accordance with this subsection and any regulations prescribed to carry out this subsection.

"(5) AUTHORITY TO AGGREGATE PAYMENTS.—The Corporation may, by regulation, provide for the aggregation of payments to holders under this subsection.

"(6) NOTIFICATION.—On disbursing a national service educational award to which an individual is entitled under paragraph (2) and applying the award to a loan, the Corporation shall notify the individual of the amount disbursed for each such loan and the date of the disbursement.

"(7) DEFINITIONS.—As used in this subsection:

"(A) QUALIFIED STUDENT LOAN.—The term 'qualified student loan' means—

"(i) any loan made, insured, or guaranteed pursuant to title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), other than a loan to a parent of a student pursuant to section 428B of such Act (20 U.S.C. 1078-2); and

"(ii) any loan made pursuant to title VII or VIII of the Public Health Service Act (42 U.S.C. 292a et seq.).

"(B) HOLDER.—The term 'holder' with respect to any eligible loan means the original lender or, if the loan is subsequently sold, transferred, or assigned to some other person, and such other person acquires a legally enforceable right to receive payments from the borrower, such other person.

"(C) USE OF EDUCATIONAL AWARDS TO PAY CURRENT EDUCATIONAL EXPENSES.—

"(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—An eligible individual under section 146 who desires to apply the national service educational award of the individual to the payment of full-time or part-time educational expenses, that have been incurred by the individual prior to the service of the individual under subtitle C, shall, on a form prescribed by the Corporation, submit an application to the institution of higher education in which the student will be enrolled that contains such information as the Corporation may require to verify the individual's eligibility.

"(2) SUBMISSION OF REQUESTS FOR PAYMENT BY INSTITUTIONS.—An institution of higher education that receives one or more applications that comply with paragraph (1) shall submit to the Corporation a statement, in a manner prescribed by the Corporation, that—

"(A) identifies each eligible individual filing an application under paragraph (1) for a disbursement of the individual's national service educational award under this subsection;

"(B) specifies the amounts for which such eligible individuals are, consistent with paragraph (6), qualified for disbursement under this subsection;

"(C) certifies that—

"(i) the institution of higher education has in effect a program participation agreement under section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094);

"(ii) the institution's eligibility to participate in any of the programs under title IV of such Act (20 U.S.C. 1070 et seq.) has not been limited, suspended, or terminated; and

"(iii) individuals using national service educational awards received under this subtitle to pay for educational costs do not comprise more than 15 percent of the total student population of the institution; and

"(D) contains such provisions concerning financial compliance as the Corporation may require.

"(3) DISBURSEMENT OF PAYMENTS.—Upon receipt of a statement from an institution of higher education that complies with paragraph (2), the Corporation shall, subject to paragraph (4), disburse the total amount of the national service educational awards for which eligible individuals who have submitted applications to that institution under paragraph (1) are scheduled to receive. Such disbursement shall be made by check or other means that is payable to the institution and requires the endorsement or other certification by the eligible individual.

"(4) MULTIPLE DISBURSEMENTS REQUIRED.—The total amount required to be disbursed to an institution of higher education under paragraph (3) for any period of enrollment shall be disbursed by the Corporation in 2 or more installments, none of which exceeds $\frac{1}{4}$ of such total amount. The interval between the first and second such installment shall not be less than $\frac{1}{4}$ of such period of enrollment,

except as necessary to permit the second installment to be paid at the beginning of the second semester, quarter, or similar division of such period of enrollment.

"(5) REFUND RULES.—The Corporation shall, by regulation, provide for the refund to the Corporation (and the crediting to the national service educational award of an eligible individual) of amounts disbursed to institutions for the benefit of eligible individuals who withdraw or otherwise fail to complete the period of enrollment for which the assistance was provided. Such regulations shall be consistent with the fair and equitable refund policies required of institutions pursuant to section 484B of the Higher Education Act of 1965 (20 U.S.C. 1091b). Amounts refunded to the Trust pursuant to this paragraph may be used by the Corporation to fund additional approved national service positions under subtitle C.

"(6) MAXIMUM AWARD.—The portion of an eligible individual's total available national service educational award that may be disbursed under this subsection for any period of enrollment shall not exceed the difference between—

"(A) the eligible individual's cost of attendance for such period of enrollment, determined in accordance with section 472 of the Higher Education Act of 1965 (20 U.S.C. 10871); and

"(B) the sum of—

"(i) the student's estimated financial assistance for such period under part A of title IV of such Act (20 U.S.C. 1070 et seq.); and

"(ii) the student's veterans' education benefits, determined in accordance with section 480(c) of such Act (20 U.S.C. 1087vv(c)).

"(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Corporation shall by regulation provide for the payment of national service educational awards to permit eligible individuals to participate in school-to-work programs approved by the Secretaries of Labor and Education.

"(e) INTEREST PAYMENTS DURING FORBEARANCE ON LOAN REPAYMENT.—The Corporation may provide by regulation for the payment on behalf of an eligible individual of interest that accrues during a period for which such individual has obtained forbearance in the repayment of a qualified student loan (as defined in subsection (b)(7)), if the eligible individual successfully completes the required term of service (as determined under section 146(b)) of the individual. Such regulations shall be prescribed after consultation with the Secretary of Education.

"(f) EXCEPTION.—

"(1) OPTION.—With the approval of the President, a national service program that receives assistance under section 121 may offer to each participant in the program the option of—

"(A) waiving the right of the participant to receive a national service educational award; and

"(B) receiving an alternative post-service benefit.

"(2) SOURCES OF FUNDING.—In providing for the alternative post-service benefit, the program may not use funds made available under this Act or any other Federal law.

"(g) DEFINITION OF INSTITUTION OF HIGHER EDUCATION.—Notwithstanding section 101 of this Act, for purposes of this section the term 'institution of higher education' has the meaning provided by section 481(a) of the Higher Education Act of 1965 (20 U.S.C. 1088(a)).

"(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the items relating to subtitle D of title I of such Act and inserting the following new items:

"Subtitle D—National Service Trust and Provision of National Service Educational Awards

"Sec. 145. Establishment of the National Service Trust.

"Sec. 146. Individuals eligible to receive a national service educational award from the Trust.

"Sec. 147. Determination of the amount of the national service educational award.

"Sec. 148. Disbursement of national service educational awards."

(c) CONFORMING AMENDMENTS.—

(1) ELIGIBILITY FOR SUBSIDIZED STAFFORD LOANS.—Section 428(a)(2)(C)(i) of the Higher Education Act of 1965 (20 U.S.C. 1078(a)(2)(C)(i)) is amended by inserting "any national service educational award such student will receive under subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12751 et seq.)," after "parts C and E of this title."

(2) FORBEARANCE IN THE COLLECTION OF STAFFORD LOANS.—Section 428 of the Higher Education Act of 1965 is amended—

(A) in subsection (b)(1)—

(i) by redesignating subparagraphs (W), (X), and (Y) as subparagraphs (X), (Y), and (Z), respectively; and

(ii) by inserting after subparagraph (V) the following new subparagraph:

"(W)(i) provides that, upon written request, a lender shall grant a borrower forbearance on such terms as are otherwise consistent with the regulations of the Secretary, during periods in which the borrower is serving in a national service position, for which the borrower receives a national service educational award under the National and Community Service Trust Act of 1993;

"(ii) provides that clauses (iii) and (iv) of subparagraph (V) shall also apply to a forbearance granted under this subparagraph; and

"(iii) provides that interest shall continue to accrue on a loan for which a borrower receives forbearance under this subparagraph and shall be capitalized or paid by the borrower;" and

(B) in subsection (c)(3)(A), by striking "subsection (b)(1)(V)" and inserting "subparagraphs (V) and (W) of subsection (b)(1)".

(3) ELIGIBILITY FOR STAFFORD LOAN FORGIVENESS.—Section 428J of the Higher Education Act of 1965 (20 U.S.C. 1078-10) is amended—

(A) in subsection (b)(1), is amended by striking "October 1, 1992" and inserting "October 1, 1989"; and

(B) in subsection (c), by adding at the end the following new paragraph:

"(5) INELIGIBILITY OF NATIONAL SERVICE EDUCATIONAL AWARD RECIPIENTS.—No student borrower may, for the same volunteer service, receive a benefit under both this section and subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12751 et seq.)."

(4) ELIGIBILITY FOR PERKINS LOAN FORGIVENESS.—Section 465(a) of the Higher Education Act of 1965 (20 U.S.C. 1087ee(a)) is amended by adding at the end the following new paragraph:

"(6) No borrower may, for the same volunteer service, receive a benefit under both this section and subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12751 et seq.)."

(5) IMPACT ON GENERAL NEEDS ANALYSIS.—Section 480(j) of such Act (20 U.S.C. 1087vv(j)) is amended by adding at the end the following new paragraph:

"(3) Notwithstanding paragraph (1), any national service educational award such student will receive under subtitle D of title I of the National and Community Service Act of

1990 (42 U.S.C. 12751 et seq.) shall not be taken into account in determining estimated financial assistance not received under this title."

SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERVICE-LEARNING PROGRAMS.

(a) AMENDMENTS TO SERVE-AMERICA PROGRAMS.—

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

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

(B) educate teachers, and faculty providing teacher training and retraining, about service-learning, and incorporate service-learning opportunities into classroom teaching to strengthen academic learning;

(C) coordinate the work of adult volunteers who work with elementary and secondary schools as part of their community service activities; and

(D) work with employers in the communities to ensure that projects introduce the students to various careers and expose the students to needed further education and training.

(2) **PROGRAMS.**—Subtitle B of title I of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) is amended by striking the subtitle heading and all that follows through the end of part I and inserting the following:

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

"PART I—SERVE-AMERICA PROGRAMS

"Subpart A—School-Based Programs for Students

"SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN TRIBES.

"(a) **USE OF FUNDS.**—The Corporation, in consultation with the Secretary of Education, may make grants under section 112(b)(1), and allotments under subsections (a) and (b)(2) of section 112, to States (through State educational agencies), and to Indian tribes, to pay for the Federal share of—

"(1) planning and building the capacity of the States or Indian tribes (which may be accomplished through grants or contracts with qualified organizations) to implement school-based service-learning programs, including—

"(A) providing training for teachers, supervisors, personnel from community-based agencies (particularly with regard to the utilization of participants), and trainers, to be conducted by qualified individuals or organizations that have experience with service-learning;

"(B) developing service-learning curricula to be integrated into academic programs, including the age-appropriate learning component described in section 114(d)(1)(B);

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

"(D) devising appropriate methods for research and evaluation of the educational value of service-learning and the effect of service-learning activities on communities; and

"(E) establishing effective outreach and dissemination of information to ensure the broadest possible involvement of community-based agencies with demonstrated effec-

tiveness in working with school-age youth in their communities;

"(2) implementing, operating, or expanding school-based service-learning programs, which may include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service-learning coordinators, through State distribution of Federal funds made available under this subpart to projects operated by local partnerships among—

"(A) local educational agencies; and

"(B) one or more community partners that—

"(i) shall include a public or private not-for-profit organization that—

"(I) has demonstrated expertise in the provision of services to meet human, educational, environmental, or public safety needs;

"(II) was in existence 1 year before the date on which the organization submitted an application under section 114; and

"(III) will make projects available for participants, who shall be students; and

"(ii) may include a private for-profit business or private elementary or secondary school;

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

"(A) the salaries and benefits of service-learning coordinators; or

"(B) the recruitment, training, supervision, and placement of service-learning coordinators who are participants in a program under subtitle C or receive a national service educational award under subtitle D,

who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2); and

"(4) implementing, operating, or expanding school-based service-learning programs involving adult volunteers to utilize service-learning to improve the education of students through State distribution of Federal funds made available under this part to local partnerships among—

"(A) local educational agencies; and

"(B) one or more—

"(i) public or private not-for-profit organizations;

"(ii) other educational agencies; or

"(iii) private for-profit businesses,

that coordinate and operate projects for participants, who shall be students.

"(b) **RELATED EXPENSES.**—A partnership, local educational agency, or other qualified organization that receives financial assistance under this subpart may, in carrying out the activities described in subsection (a), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, evaluations, and for other reasonable expenses related to the activities.

"SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN NONPARTICIPATING STATES.

"In any fiscal year in which a State does not submit an application under section 113, for an allotment under subsection (a) or (b)(2) of section 112, that meets the requirements of section 113 and such other requirements as the President may determine to be appropriate, the Corporation may use the allotment of that State to make direct grants to pay for the Federal share of the cost of—

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

"(2) carrying out the activities described in paragraph (3) of such section, to an agency described in such paragraph,

that is located in the State.

"SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE NOT-FOR-PROFIT ORGANIZATIONS.

"(a) **IN GENERAL.**—The Corporation may make a grant under section 112(b)(1) to a public or private not-for-profit organization that—

"(1) has experience with service-learning;

"(2) was in existence 1 year before the date on which the organization submitted an application under section 114(a); and

"(3) meets such other criteria as the President may establish.

"(b) **USE OF FUNDS.**—Such an organization may use a grant made under subsection (a) to make grants to partnerships described in paragraph (2) or (4) of section 111(a) to implement, operate, or expand school-based service-learning programs as described in such section and provide technical assistance and training to appropriate persons.

"SEC. 112. GRANTS AND ALLOTMENTS.

"(a) **INDIAN TRIBES AND TERRITORIES.**—Of the amounts appropriated to carry out this subpart for any fiscal year, the Corporation shall reserve an amount of not more than 3 percent for payments to Indian tribes, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs. The Corporation may also make payments from such amount to Palau, in accordance with its needs, until such time as the Compact of Free Association with Palau is ratified.

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

"(1) **GRANTS.**—Except as provided in paragraph (3), from 25 percent of such funds, the Corporation may make grants, on a competitive basis, to—

"(A) States and Indian tribes; or

"(B) as described in section 111B, to grantmaking entities.

"(2) **ALLOTMENTS.**—

"(A) **SCHOOL-AGE YOUTH.**—Except as provided in paragraph (3), from 37.5 percent of such funds, the Corporation shall allot to each State an amount that bears the same ratio to 37.5 percent of such funds as the number of school-age youth in the State bears to the total number of school-age youth of all States.

"(B) **ALLOCATION UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.**—Except as provided in paragraph (3), from 37.5 percent of such funds, the Corporation shall allot to each State an amount that bears the same ratio to 37.5 percent of such funds as the allocation to the State for the previous fiscal year under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2711 et seq.) bears to such allocations to all States.

"(3) **MINIMUM AMOUNT.**—No State shall receive, under paragraph (2), an allotment that is less than the allotment such State received for fiscal year 1993 under section 112(b) of this Act, as in effect on the day before the date of enactment of this part. If the amount of funds made available in a fiscal year to carry out paragraph (2) is insufficient to make such allotments, the Corporation shall make available sums from the 25 percent described in paragraph (1) for such fiscal year to make such allotments.

"(4) **DEFINITION.**—Notwithstanding section 101(27), for purposes of this subsection, the term 'State' means each of the several States, the District of Columbia, the Com-

monwealth of Puerto Rico, and an Indian tribe.

"(c) REALLOTMENT.—If the Corporation determines that the allotment of a State or Indian tribe under this section will not be required for a fiscal year because the State or Indian tribe does not submit an application for the allotment under section 113 that meets the requirements of such section and such other requirements as the President may determine to be appropriate, the Corporation shall, after making any grants under section 111A to a partnership or agency described in such section, make any remainder of such allotment available for reallocation to such other States, and Indian tribes, with approved applications submitted under section 113, as the Corporation may determine to be appropriate.

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

"SEC. 112. STATE OR TRIBAL APPLICATIONS.

"(a) SUBMISSION.—To be eligible to receive a grant under section 112(b)(1), an allotment under subsection (a) or (b)(2) of section 112, a reallocation under section 112(c), or a grant under section 112(d), a State, acting through the State educational agency, or an Indian tribe, shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the President may reasonably require.

"(b) CONTENTS.—An application that is submitted under subsection (a) with respect to service-learning programs described in section 111 shall include—

"(1) a 3-year strategic plan, or a revision of a previously approved 3-year strategic plan, for promoting service-learning through the programs, which plan shall contain such information as the President may reasonably require, including information demonstrating that the programs will be carried out in a manner consistent with the approved strategic plan;

"(2) assurances that—

"(A) the applicant will keep such records and provide such information to the Corporation with respect to the programs as may be required for fiscal audits and program evaluation; and

"(B) the applicant will comply with the nonduplication and nondisplacement requirements of section 177 and the grievance procedure requirements of section 176(f); and

"(3) such additional information as the President may reasonably require.

"SEC. 114. LOCAL APPLICATIONS.

"(a) APPLICATION TO CORPORATION TO MAKE GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—

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

"(2) SUBMISSION.—Such application shall be submitted at such time and in such manner, and shall contain such information, as the President may reasonably require.

"(b) DIRECT APPLICATION TO CORPORATION TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS IN NONPARTICIPATING STATES.—To be eligible to receive a grant from the Corporation in the circumstances described in section 111A to carry out an activity described in such section, a partnership or agency described in such section shall prepare, submit to the Corporation, and

obtain approval of, an application. Such application shall be submitted at such time and in such manner, and shall contain such information, as the President may reasonably require.

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

"(1) IN GENERAL.—Any—

"(A) qualified organization that desires to receive financial assistance under this subpart from a State or Indian tribe for an activity described in section 111(a)(1);

"(B) partnership described in section 111(a)(2) that desires to receive such assistance from a State, Indian tribe, or grantmaking entity for an activity described in section 111(a)(2);

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

"(D) partnership described in section 111(a)(4) that desires to receive such assistance from a State or Indian tribe for an activity described in such section,

to be carried out through a service-learning program described in section 111, shall prepare, submit to the State educational agency, Indian tribe, or grantmaking entity, and obtain approval of, an application for the program.

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

"(d) REGULATIONS.—The Corporation shall by regulation establish standards for the information and assurances required to be contained in an application submitted under subsection (a) or (b) with respect to a service-learning program described in section 111, including, at a minimum—

"(1) assurances that—

"(A) prior to the placement of a participant, the entity carrying out the program will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees;

"(B) the entity carrying out the program will develop an age-appropriate learning component for participants in the program that shall include a chance for participants to analyze and apply their service experiences; and

"(C) the entity carrying out the program will comply with the nonduplication and nondisplacement requirements of section 177 and the grievance procedure requirements of section 176(f); and

"(2) in the case of an application submitted by a grantmaking entity, information demonstrating that the entity will make grants for a program to—

"(A) carry out activities described in section 111B(b) in two or more States, under circumstances in which the activities carried out under such program can be carried out more efficiently through one program than through two or more programs; and

"(B) carry out the same activities, such as training activities or activities related to exchanging information on service experiences, through each of the projects assisted through the program.

"(e) LIMITATION ON SAME PROJECT IN MULTIPLE APPLICATIONS.—No applicant shall submit an application under section 113 or this section, and the Corporation shall reject an application that is submitted under section 113 or this section, if the application describes a project proposed to be conducted using assistance requested by the applicant

and the project is already described in another application pending before the Corporation.

"SEC. 115. CONSIDERATION OF APPLICATIONS.

"(a) CRITERIA FOR APPLICATIONS.—In approving applications for financial assistance under subsection (a), (b), (c), or (d) of section 112, the Corporation shall consider such criteria with respect to sustainability, replicability, innovation, and quality of programs under this subpart as the President may by regulation specify. In providing assistance under this subpart, a State educational agency, Indian tribe, or grantmaking entity shall consider such criteria.

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

"(1) involve participants in the design and operation of the program;

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

"(3) involve—

"(A) students from public elementary or secondary schools, and students from private elementary or secondary schools, serving together; or

"(B) students of different ages, races, sexes, ethnic groups, disabilities, or economic backgrounds, serving together; or

"(4) are integrated into the academic program of the participants.

"(c) REJECTION OF APPLICATIONS.—If the Corporation rejects an application submitted by a State under section 113 for an allotment under subsection (b)(2) of section 112, the Corporation shall promptly notify the State of the reasons for the rejection of the application. The Corporation shall provide the State with a reasonable opportunity to revise and resubmit the application and shall provide technical assistance, if needed, to the State as part of the resubmission process. The Corporation shall promptly reconsider such resubmitted application.

"SEC. 116A. PARTICIPATION OF STUDENTS AND TEACHERS FROM PRIVATE SCHOOLS.

"(a) IN GENERAL.—To the extent consistent with the number of students in the State or Indian tribe or in the school district of the local educational agency involved who are enrolled in private not-for-profit elementary and secondary schools, such State, Indian tribe, or agency shall (after consultation with appropriate private school representatives) make provision—

"(1) for the inclusion of services and arrangements for the benefit of such students so as to allow for the equitable participation of such students in the programs implemented to carry out the objectives and provide the benefits described in this subpart; and

"(2) for the training of the teachers of such students so as to allow for the equitable participation of such teachers in the programs implemented to carry out the objectives and provide the benefits described in this subpart.

"(b) WAIVER.—If a State, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teachers from private not-for-profit schools as required by subsection (a), or if the Corporation determines that a State, Indian tribe, or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the President shall waive such requirements and

shall arrange for the provision of services to such students and teachers. Such waivers shall be subject to consultation, withholding, notice, and judicial review requirements in accordance with paragraphs (3) and (4) of section 1017(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2727(b)).

SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

"(a) SHARE.—

"(1) IN GENERAL.—The Federal share attributable to this subpart of the cost of carrying out a program for which a grant or allotment is made under this subpart may not exceed—

"(A) 90 percent of the total cost of the program for the first year for which the program receives assistance under this subpart;

"(B) 80 percent of the total cost of the program for the second year for which the program receives assistance under this subpart;

"(C) 70 percent of the total cost of the program for the third year for which the program receives assistance under this subpart; and

"(D) 50 percent of the total cost of the program for the fourth year, and for any subsequent year, for which the program receives assistance under this subpart.

"(2) CALCULATION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of assistance under this subpart—

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

"(B) may provide for such share through State sources, local sources, or Federal sources (other than funds made available under the national service laws).

"(b) WAIVER.—The President may waive the requirements of subsection (a) in whole or in part with respect to any such program in any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

SEC. 116A. LIMITATIONS ON USES OF FUNDS.

"(a) ADMINISTRATIVE COSTS.—

"(1) LIMITATION.—Not more than 5 percent of the amount of assistance provided to a State educational agency, Indian tribe, or grantmaking entity that is the original recipient of a grant or allotment under subsection (a), (b), (c), or (d) of section 112 for a fiscal year may be used to pay for administrative costs incurred by—

"(A) the original recipient; or

"(B) the entity carrying out the service-learning programs supported with the assistance.

"(2) RULES ON USE.—The President may by rule prescribe the manner and extent to which—

"(A) such assistance may be used to cover administrative costs; and

"(B) that portion of the assistance available to cover administrative costs should be distributed between—

"(i) the original recipient; and

"(ii) the entity carrying out the service-learning programs supported with the assistance.

"(b) CAPACITY-BUILDING ACTIVITIES.—

"(1) IN GENERAL.—Except as provided in paragraph (2), not less than 10 percent and not more than 15 percent of the amount of assistance provided to a State educational agency or Indian tribe that is the original recipient of a grant or allotment under subsection (a), (b), (c), or (d) of section 112 for a fiscal year may be used to build capacity through training, technical assistance, curriculum development, and coordination activities, described in section 111(a)(1).

"(2) WAIVER.—The President may waive the requirements of paragraph (1) in order to permit an agency or a tribe to use not less than 10 percent and not more than 25 percent of such amount to build capacity as provided in paragraph (1). To be eligible to receive such a waiver such an agency or tribe shall submit an application to the President at such time, in such manner, and containing such information as the President may require.

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

SEC. 116B. DEFINITIONS.

"As used in this subpart:

"(1) GRANTMAKING ENTITY.—The term 'grantmaking entity' means an organization described in section 111B(a).

"(2) SCHOOL-BASED.—The term 'school-based' means based in an elementary school or a secondary school.

"(3) STUDENT.—Notwithstanding section 101(30), the term 'student' means an individual who is enrolled in an elementary or secondary school on a full- or part-time basis.

"Subpart B—Community-Based Service Programs for School-Age Youth

SEC. 117. DEFINITIONS.

"As used in this subpart:

"(1) COMMUNITY-BASED SERVICE PROGRAM.—The term 'community-based service program' means a program described in section 117A(b)(1)(A).

"(2) GRANTMAKING ENTITY.—The term 'grantmaking entity' means a qualified organization that—

"(A) submits an application under section 117C(a) to make grants to qualified organizations;

"(B) was in existence 1 year before the date on which the organization submitted the application;

"(C) has experience with service-learning; and

"(D) meets such other criteria as the President shall establish.

"(3) QUALIFIED ORGANIZATION.—The term 'qualified organization' means a public or private not-for-profit organization with experience working with school-age youth that meets such criteria as the President may establish.

SEC. 117A. GENERAL AUTHORITY.

"(a) GRANTS.—From the funds appropriated to carry out this subpart for a fiscal year, the Corporation may make grants to State Commissions, grantmaking entities, and qualified organizations to pay for the Federal share of the implementation, operation, expansion, or replication of community-based service programs.

"(b) USE OF FUNDS.—

"(1) STATE COMMISSIONS AND GRANTMAKING ENTITIES.—A State Commission or grantmaking entity may use a grant made under subsection (a)—

"(A) to make a grant to a qualified organization to implement, operate, expand, or replicate a community-based service program that provides for meaningful human, educational, environmental, or public safety service by participants, who shall be school-age youth; or

"(B) to provide training and technical assistance to such an organization.

"(2) QUALIFIED ORGANIZATIONS.—A qualified organization, other than a grantmaking entity, may use a grant made under subsection (a) to implement, operate, expand, or rep-

licate a program described in paragraph (1)(A).

SEC. 117B. STATE APPLICATIONS.

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

"(b) SUBMISSION.—Such application shall be submitted to the Corporation at such time and in such manner, and shall contain such information, as the President may reasonably require.

"(c) CONTENTS.—Such an application shall include, at a minimum, a State plan that contains the information and assurance described in section 117C(d) with respect to each community-based service program proposed to be carried out through funding distributed by the State Commission under this subpart.

SEC. 117C. LOCAL APPLICATIONS.

"(a) APPLICATION TO CORPORATION TO MAKE GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—To be eligible to receive a grant from the Corporation under section 117A(a) to make grants under section 117A(b)(1), a grantmaking entity shall prepare, submit to the Corporation, and obtain approval of, an application that proposes a community-based service program to be carried out through grants made to qualified organizations. Such application shall be submitted at such time and in such manner, and shall contain such information, as the President may reasonably require.

"(b) DIRECT APPLICATION TO CORPORATION TO CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be eligible to receive a grant from the Corporation under section 117A(a) to implement, operate, expand, or replicate a community service program, a qualified organization shall prepare, submit to the Corporation, and obtain approval of, an application that proposes a community-based service program to be carried out at multiple sites, or that proposes a model or an innovative community-based service program. Such application shall be submitted at such time and in such manner, and shall contain such information, as the President may reasonably require.

"(c) APPLICATION TO STATE COMMISSION OR GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be eligible to receive a grant from a State Commission or grantmaking entity under section 117A(b)(1), a qualified organization shall prepare, submit to the Commission or entity, and obtain approval of, an application. Such application shall be submitted at such time and in such manner, and shall contain such information, as the Commission or entity may reasonably require.

"(d) REGULATIONS.—The Corporation shall by regulation establish standards for the information and assurances required to be contained in an application submitted under subsection (a) or (b) with respect to a service-learning program described in section 117, including, at a minimum—

"(1) an assurance that the entity carrying out the program proposed by the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the grievance procedure requirements of section 176(f);

"(2) an assurance that the entity carrying out the program will, prior to placing a participant in the program, consult with any local labor organization representing employees in the area in which the program will be carried out that are engaged in the same or similar work as the work proposed to be carried out by the program, to prevent the displacement of such employees; and

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

"(A) carry out activities described in section 117A(b)(1) in two or more States, under circumstances in which the activities carried out under such program can be carried out more efficiently through one program than through two or more programs; and

"(B) carry out the same activities, such as training activities or activities related to exchanging information on service experiences, through each of the projects assisted through the program.

"(e) **LIMITATION ON SAME PROJECT IN MULTIPLE APPLICATIONS.**—No applicant shall submit an application under section 117B or this section, and the Corporation shall reject an application that is submitted under section 117B or this section, if the application describes a project proposed to be conducted using assistance requested by the applicant and the project is already described in another application pending before the Corporation.

"SEC. 117D. CONSIDERATION OF APPLICATIONS.

"(a) **APPLICATION OF CRITERIA.**—The Corporation shall apply the criteria described in subsection (b) in determining whether to approve an application submitted under section 117B or under subsection (a) or (b) of section 117C and to provide assistance under section 117A to the applicant on the basis of the application.

"(b) **ASSISTANCE CRITERIA.**—In evaluating such an application with respect to a program under this subpart, the Corporation shall consider the criteria established for national service programs under section 133(c).

"(c) **APPLICATION TO SUBGRANTS.**—A State Commission or grantmaking entity shall apply the criteria described in subsection (b) in determining whether to approve an application under section 117C(c) and to make a grant under section 117A(b)(1) to the applicant on the basis of the application.

"SEC. 117E. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

"(a) **FEDERAL SHARE.**—

"(1) **IN GENERAL.**—The Federal share attributable to this subpart of the cost of carrying out a program for which a grant is made under this subpart may not exceed the percentage specified in subparagraph (A), (B), (C), or (D) of section 116(a)(1), as appropriate.

"(2) **CALCULATION.**—Each recipient of assistance under this subpart shall comply with section 116(a)(2).

"(b) **WAIVER.**—The President may waive the requirements of subsection (a), in whole or in part, as provided in section 116(b).

"SEC. 117F. LIMITATIONS ON USES OF FUNDS.

"(a) **ADMINISTRATIVE COSTS.**—Not more than 5 percent of the amount of assistance provided to a State Commission, grantmaking entity, or qualified organization that is the original recipient of a grant under section 117A(a) for a fiscal year may be used to pay for administrative costs incurred by—

"(1) the original recipient; or

"(2) the entity carrying out the community-based service programs supported with the assistance.

"(b) **RULES ON USE.**—The President may by rule prescribe the manner and extent to which—

"(1) such assistance may be used to cover administrative costs; and

"(2) that portion of the assistance available to cover administrative costs should be distributed between—

"(A) the original recipient; and

"(B) the entity carrying out the community-based service programs supported with the assistance.

"Subpart C—Clearinghouse

"SEC. 118. SERVICE-LEARNING CLEARINGHOUSE.

"(a) **IN GENERAL.**—The Corporation shall provide financial assistance, from funds appropriated to carry out subtitle H, to agencies described in subsection (b) to establish a clearinghouse, which shall carry out activities, either directly or by arrangement with another such entity, with respect to information about service-learning.

"(b) **PUBLIC AND PRIVATE NOT-FOR-PROFIT AGENCIES.**—Public and private not-for-profit agencies that have extensive experience with service-learning, including use of adult volunteers to foster service-learning, shall be eligible to receive assistance under subsection (a).

"(c) **FUNCTION OF CLEARINGHOUSE.**—An entity that receives assistance under subsection (a) may—

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

"(2) conduct research and evaluations concerning service-learning;

"(3)(A) provide leadership development and training to State and local service-learning program administrators, supervisors, service sponsors, and participants; and

"(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

"(4) facilitate communication among entities carrying out service-learning programs and participants in such programs;

"(5) provide information, curriculum materials, and technical assistance relating to planning and operation of service-learning programs, to States and local entities eligible to receive financial assistance under this title;

"(6)(A) gather and disseminate information on successful service-learning programs, components of such successful programs, innovative youth skills curricula related to service-learning, and service-learning projects; and

"(B) coordinate the activities of the Clearinghouse with appropriate entities to avoid duplication of effort;

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

"(8) assist organizations in recruiting, screening, and placing service-learning coordinators; and

"(9) carry out such other activities as the President determines to be appropriate."

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

"PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

"SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE.

"(a) **PURPOSE.**—It is the purpose of this part to expand participation in community service by supporting innovative community service programs carried out through institutions of higher education, acting as civic institutions to meet the human, educational, environmental, or public safety needs of neighboring communities.

"(b) **GENERAL AUTHORITY.**—The Corporation, in consultation with the Secretary of Education, is authorized to make grants to, and enter into contracts with, institutions of higher education (including a combination of such institutions), and partnerships comprised of such institutions and of other public agencies or not-for-profit private organizations, to pay for the Federal share of the cost of—

"(1) enabling such an institution or partnership to create or expand an organized community service program that—

"(A) engenders a sense of social responsibility and commitment to the community in which the institution is located; and

"(B) provides projects for participants, who shall be students, faculty, administration, or staff of the institution, or residents of the community;

"(2) supporting student-initiated and student-designed community service projects through the program;

"(3) strengthening the leadership and instructional capacity of teachers at the elementary, secondary, and post secondary levels, with respect to service-learning, by—

"(A) including service-learning as a key component of the preservice teacher education of the institution; and

"(B) encouraging the faculty of the institution to use service-learning methods throughout their curriculum;

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

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

"(6) strengthening the service infrastructure within institutions of higher education in the United States through the program; and

"(7) providing for the training of teachers, prospective teachers, related education personnel, and community leaders in the skills necessary to develop, supervise, and organize service-learning.

"(c) **FEDERAL SHARE.**—

"(1) **SHARE.**—

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

"(B) **CALCULATION.**—Each recipient of assistance under this part shall comply with section 116(a)(2).

"(2) **WAIVER.**—The President may waive the requirements of paragraph (1), in whole or in part, as provided in section 116(b).

"(d) **APPLICATION FOR GRANT.**—

"(1) **SUBMISSION.**—To receive a grant or enter into a contract under this part, an institution or partnership described in subsection (b) shall prepare, submit to the Corporation, and obtain approval of, an application at such time, in such manner, and containing such information as the Corporation may reasonably require. In requesting applications for assistance under this part, the Corporation shall specify such required information.

"(2) **CONTENTS.**—An application submitted under paragraph (1) shall, at a minimum, contain—

"(A) assurances that—

"(i) prior to the placement of a participant, the applicant will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees; and

"(ii) the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the grievance procedure requirements of section 176(f); and

"(B) such other assurances as the President may reasonably require.

"(e) PRIORITY.—

"(1) IN GENERAL.—In making grants and entering into contracts under subsection (b), the Corporation shall give priority to applicants that submit applications containing proposals that—

"(A) demonstrate the commitment of the institution of higher education, other than by demonstrating the commitment of the students, to supporting the community service projects carried out under the program;

"(B) specify the manner in which the institution will promote faculty, administration, and staff participation in the community service projects;

"(C) specify the manner in which the institution will provide service to the community through organized programs, including, where appropriate, clinical programs for students in professional schools;

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

"(i) the institution;

"(ii) a community-based agency;

"(iii) a local government agency; or

"(iv) a not-for-profit entity that serves or involves school-age youth or older adults; and

"(v) a student organization;

"(E) demonstrate community involvement in the development of the proposal;

"(F) specify that the institution will use such assistance to strengthen the service infrastructure in institutions of higher education; or

"(G) with respect to projects involving delivery of service, specify projects that involve leadership development of school-age youth.

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

"(f) NATIONAL SERVICE EDUCATIONAL AWARD.—A participant in a program funded under this part shall be eligible for the national service educational award described in subtitle D, if the participant served in an approved national service position.

"(g) DEFINITION.—Notwithstanding section 101(30), as used in this part, the term 'student' means an individual who is enrolled in an institution of higher education on a full- or part-time basis."

"(c) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the items relating to subtitle B of title I of such Act and inserting the following:

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

"PART I—SERVE-AMERICA PROGRAMS

"SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

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

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

"Sec. 111B. Authority to assist public or private 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.

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

"Sec. 117. Definitions.

"Sec. 117A. General authority.

"Sec. 117B. State applications.

"Sec. 117C. Local applications.

"Sec. 117D. Consideration of applications.

"Sec. 117E. Federal, State, and local contributions.

"Sec. 117F. Limitations on uses of funds.

"SUBPART C—CLEARINGHOUSE

"Sec. 118. Service-learning clearinghouse.

"PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

"Sec. 119. Higher education innovative programs for community service."

SEC. 104. QUALITY AND INNOVATION ACTIVITIES.

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

(b) TRANSFER.—Title I of the National and Community Service Act of 1990 is amended—

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

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

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

(c) INVESTMENT FOR QUALITY AND INNOVATION.—Title I of the National and Community Service Act of 1990 (as amended by subsection (b) of this section) is amended by adding at the end the following new subtitle:

"Subtitle H—Investment for Quality and Innovation

"SEC. 105. ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE.

"(a) METHODS OF CONDUCTING ACTIVITIES.—The Corporation may carry out this section directly or through grants, contracts, and cooperative agreements with other entities.

"(b) INNOVATION AND QUALITY IMPROVEMENT.—

"(1) ACTIVITIES.—The Corporation may undertake activities to improve the quality of national service programs and to support innovative and model programs, including—

"(A) programs, including programs for rural youth, under subtitle B or C;

"(B) employer-based retiree programs;

"(C) intergenerational programs;

"(D) programs involving individuals with disabilities as participants providing service; and

"(E) programs sponsored by Governors.

"(2) INTERGENERATIONAL PROGRAM.—An intergenerational program referred to in paragraph (1)(C) may include a program in which older adults provide services to children who participate in Head Start programs.

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

"(d) COMMUNITY-BASED AGENCIES.—The Corporation may provide training and technical assistance and other assistance to service sponsors and other community-based agencies that provide volunteer placements in order to improve the ability of such agencies to use participants and other volunteers in a manner that results in high-quality service and a positive service experience for the participants and volunteers.

"(e) IMPROVE ABILITY TO APPLY FOR ASSISTANCE.—The Corporation shall provide training and technical assistance, where necessary, to individuals, programs, local labor organizations, State educational agencies, State Commissions, local educational agencies, local governments, community-based

agencies, and other entities to enable them to apply for funding under one of the national service laws, to conduct high-quality programs, to evaluate such programs, and for other purposes.

"(f) NATIONAL SERVICE FELLOWSHIPS.—The Corporation may award national service fellowships.

"(g) CONFERENCES AND MATERIALS.—The Corporation may organize and hold conferences, and prepare and publish materials, to disseminate information and promote the sharing of information among programs for the purpose of improving the quality of programs and projects.

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

"(i) PROMOTION AND RECRUITMENT.—The Corporation may conduct a campaign to solicit funds for the National Service Trust and other programs and activities authorized under the national service laws and to promote and recruit participants for programs that receive assistance under the national service laws.

"(j) TRAINING.—The Corporation may support national and regional participant and supervisor training, including leadership training and training in specific types of service and in building the ethic of civic responsibility.

"(k) RESEARCH.—The Corporation may support research on national service, including service-learning.

"(l) INTERGENERATIONAL SUPPORT.—The Corporation may assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.

"(m) PLANNING COORDINATION.—The Corporation may coordinate community-wide planning among programs and projects.

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

"(o) NATIONAL PROGRAM IDENTITY.—The Corporation may support the development and dissemination of materials, including training materials, and arrange for uniforms and insignia, designed to promote unity and shared features among programs that receive assistance under the national service laws.

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

"(q) NATIONAL YOUTH SERVICE DAY.—

"(1) DESIGNATION.—April 19, 1994, and April 18, 1995 are each designated as 'National Youth Service Day'. The President of the United States is authorized and directed to issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

"(2) FEDERAL ACTIVITIES.—In order to observe National Youth Service Day at the Federal level, the Corporation may organize and carry out appropriate ceremonies and activities.

"(3) ACTIVITIES.—The Corporation may make grants to not-for-profit organizations with demonstrated ability to carry out appropriate activities, in order to support such activities on National Youth Service Day.

"SEC. 106A. CLEARINGHOUSE

"(a) ASSISTANCE.—The Corporation shall provide assistance to appropriate entities to

establish one or more clearinghouses, including the clearinghouse described in section 118.

"(b) APPLICATION.—To be eligible to receive assistance under subsection (a), an entity shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require.

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

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

"(2) conduct research and evaluations concerning community service;

"(3)(A) provide leadership development and training to State and local community service program administrators, supervisors, and participants; and

"(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

"(4) facilitate communication among entities carrying out community service programs and participants;

"(5) provide information, curriculum materials, technical assistance relating to planning and operation of community service programs, to States and local entities eligible to receive funds under this title;

"(6)(A) gather and disseminate information on successful community service programs, components of such successful programs, innovative youth skills curriculum, and community service projects; and

"(B) coordinate the activities of the clearinghouse with appropriate entities to avoid duplication of effort;

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

"(8) carry out such other activities as the President determines to be appropriate.

"SEC. 198B. PRESIDENTIAL AWARDS FOR SERVICE.

"(a) PRESIDENTIAL AWARDS.—

"(1) IN GENERAL.—The President of the United States, acting through the Corporation, may make Presidential awards for service to individuals providing significant service, and to outstanding service programs.

"(2) INDIVIDUALS AND PROGRAMS.—Notwithstanding section 101(20)—

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

"(B) a program receiving an award under this subsection need not be a program authorized under this Act.

"(3) NATURE OF AWARD.—In making an award under this section to an individual or program, the President of the United States, acting through the Corporation—

"(A) is authorized to incur necessary expenses for the honorary recognition of the individual or program; and

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

"(b) INFORMATION.—The President of the United States, acting through the Corporation, shall ensure that information concerning individuals and programs receiving awards under this section is widely disseminated.

"SEC. 198C. MILITARY INSTALLATION CONVERSION DEMONSTRATION PROGRAMS.

"(a) PURPOSES.—The purposes of this section are to—

"(1) provide meaningful training and paid employment to economically disadvantaged youth;

"(2) fully utilize military installations affected by closures or realignments;

"(3) encourage communities affected by such closures or realignments to convert the installations to community use; and

"(4) foster a sense of community pride in the youth in the community.

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

"(1) AFFECTED MILITARY INSTALLATION.—The term 'affected military installation' means a military installation described in section 325(e)(1) of the Job Training Partnership Act (29 U.S.C. 1662d(e)(1)).

"(2) COMMUNITY.—The term 'community' includes a county.

"(3) CONVERT TO COMMUNITY USE.—The term 'convert to community use', used with respect to an affected military installation, includes—

"(A) conversion of the installation or a part of the installation to—

"(i) a park;

"(ii) a community center;

"(iii) a recreational facility; or

"(iv) a facility for a Head Start program under the Head Start Act (42 U.S.C. 9831 et seq.); and

"(B) carrying out, at the installation, a construction or economic development project that is of substantial benefit, as determined by the President, to—

"(i) the community in which the installation is located; or

"(ii) a community located within such distance of the installation as the President may determine by regulation to be appropriate.

"(4) DEMONSTRATION PROGRAM.—The term 'demonstration program' means a program described in subsection (c).

"(c) DEMONSTRATION PROGRAMS.—

"(1) GRANTS.—The Corporation may make grants to communities and community-based agencies to pay for the Federal share of establishing and carrying out military installation conversion demonstration programs, to assist in converting to community use affected military installations located—

"(A) within the community; or

"(B) within such distance from the community as the President may by regulation determine to be appropriate.

"(2) DURATION.—In carrying out such a demonstration program, the community or community-based agency may carry out—

"(A) a program of not less than 6 months in duration; or

"(B) a full-time summer program.

"(d) USE OF FUNDS.—

"(1) SALARY.—A community or community-based agency that receives a grant under subsection (c) to establish and carry out a project through a demonstration program may use the funds made available through such grant to pay for a portion of the salary of the participants in the project.

"(2) LIMITATION ON AMOUNT OF SALARY.—The amount of the salary provided to a participant under paragraph (1) that may be paid using assistance provided under this section and using any other Federal funds shall not exceed the lesser of—

"(A) 85 percent of the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955); and

"(B) 85 percent of the salary established by the demonstration program involved.

"(e) PARTICIPANTS.—

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

"(A) an economically disadvantaged individual; and

"(B)(i) a person described in section 153(b);

"(ii) a youth described in section 154(a); or

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

"(2) PARTICIPATION.—Persons desiring to participate in such a project shall enter into an agreement with the service sponsor of the project to participate—

"(A) on a full-time or a part-time basis; and

"(B) for the duration referred to in subsection (f)(2)(C).

"(f) APPLICATION.—

"(1) IN GENERAL.—To be eligible to receive a grant under subsection (c), a community or community-based agency shall submit an application to the President at such time, in such manner, and containing such information as the President may require.

"(2) CONTENTS.—At a minimum, such application shall contain—

"(A) a description of the demonstration program proposed to be conducted by the applicant;

"(B) a proposal for carrying out the program that describes the manner in which the applicant will—

"(i) provide preservice and inservice training, for supervisors and participants, that will be conducted by qualified individuals or qualified organizations;

"(ii) conduct an appropriate evaluation of the program; and

"(iii) provide for appropriate community involvement in the program;

"(C) information indicating the duration of the program; and

"(D) an assurance that the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the grievance procedure requirements of section 176(f).

"(g) LIMITATION ON GRANT.—In making a grant under subsection (c) with respect to a demonstration program to assist in converting an affected military installation, the Corporation shall not make a grant for more than 25 percent of the total cost of the conversion."

"(d) TABLE OF CONTENTS.—

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

"Subtitle E—Civilian Community Corps

"Sec. 151. Purpose.

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

"Sec. 153. National service program.

"Sec. 154. Summer national service program.

"Sec. 155. Civilian Community Corps.

"Sec. 156. Training.

"Sec. 157. Service projects.

"Sec. 158. Authorized benefits for Corps personnel under Federal law.

"Sec. 159. Administrative provisions.

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

"Sec. 161. Contract and grant authority.

"Sec. 162. Responsibilities of other departments.

"Sec. 163. Advisory board.

"Sec. 164. Annual evaluation.

"Sec. 165. Funding limitation.

"Sec. 166. Definitions."

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

Subtitle H—Investment for Quality and Innovation

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

"Sec. 198A. Clearinghouses.

"Sec. 198B. Presidential awards for service.

"Sec. 198C. Military installation conversion demonstration programs."

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

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

(A) Section 1091(f)(2) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484) is amended by striking "195G" and inserting "158".

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

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

(D) Section 1094(b)(1) and subsections (b) and (c)(1) of section 1095 of such Act are amended by striking "subtitles B, C, D, E, F, and G" and inserting "subtitles B, C, D, F, G, and H".

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

(A) Section 153(a) of the National and Community Service Act of 1990 (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653b(a)) is amended by striking "195A(a)" and inserting "152(a)".

(B) Section 154(a) of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653c(a)) is amended by striking "195A(a)" and inserting "152(a)".

(C) Section 155 of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653d) is amended—

(i) in subsection (a), by striking "195H(c)(1)" and inserting "159(c)(1)";

(ii) in subsection (c)(2), by striking "195H(c)(2)" and inserting "159(c)(2)"; and

(iii) in subsection (d)(3), by striking "195K(a)(3)" and inserting "162(a)(3)".

(D) Section 156 of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653e) is amended—

(i) in subsection (c)(1), by striking "195H(c)(2)" and inserting "159(c)(2)"; and

(ii) in subsection (d), by striking "195K(a)(3)" and inserting "162(a)(3)".

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

(i) in subsection (a)—

(I) by striking "195A" and inserting "152"; and

(II) in paragraph (2), by striking "195" and inserting "151"; and

(ii) in subsection (c)(2)(C)(i), by striking "195K(a)(2)" and inserting "section 162(a)(2)".

(F) Section 161(b)(1)(B) of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653j(b)(1)(B)) is amended by striking "195K(a)(3)" and inserting "162(a)(3)".

(G) Section 162(a)(2)(A) of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653k(a)(2)(A)) is amended by striking "195(3)" and inserting "151(3)".

(H) Section 166 of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653o) is amended—

(i) in paragraph (2), by striking "195D" and inserting "155";

(ii) in paragraph (8), by striking "195A" and inserting "152";

(iii) in paragraph (10), by striking "195D(d)" and inserting "155(d)"; and

(iv) in paragraph (11), by striking "195D(c)" and inserting "155(c)".

(f) EXTENSION OF AUTHORITY TO CONDUCT CIVILIAN COMMUNITY CORPS.—Section 1093(c) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2534), as amended by subsection (e)(1) of this section, is further amended by adding at the end the following new sentence: "The amount made available for the Civilian Community Corps Demonstration Program pursuant to this subsection shall remain available for expenditure during fiscal years 1993 and 1994."

(g) PARTICIPANTS.—

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

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) SUMMER NATIONAL SERVICE PROGRAM.—Section 154 of the National and Community Service Act of 1990 (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653c) is amended—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b).

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

"(f) NATIONAL SERVICE EDUCATIONAL AWARDS.—A Corps member who successfully completes a period of agreed service in the Corps may receive the national service educational award described in subtitle D if the Corps member—

"(1) serves in an approved national service position; and

"(2) satisfies the eligibility requirements specified in section 146 with respect to service in that approved national service position.

"(g) ALTERNATIVE BENEFIT.—If a Corps member who successfully completes a period of agreed service in the Corps is ineligible for the national service educational award described in subtitle D, the Director may provide for the provision of a suitable alternative benefit for the Corps member."

Subtitle B—Related Provisions

SEC. 111. DEFINITIONS.

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

"SEC. 101. DEFINITIONS.

"For purposes of this title:

"(1) ADULT VOLUNTEER.—The term 'adult volunteer' means an individual, such as an older adult, an individual with a disability, a parent, or an employee of a business or public or private not-for-profit agency, who—

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

"(B) is beyond the age of compulsory school attendance in the State in which the educational institution is located.

"(2) APPROVED NATIONAL SERVICE POSITION.—The term 'approved national service position' means a national service position for which the Corporation has approved the provision of a national service educational award described in section 147 as one of the benefits to be provided for successful service in the position.

"(3) CARRY OUT.—The term 'carry out', when used in connection with a national service program described in section 122, means the planning, establishment, operation, expansion, or replication of the program.

"(4) COMMUNITY ACTION AGENCY.—The term 'community action agency' means an entity or organization referred to in section 675(c)(2)(A) of the Community Services Block Grant Act (42 U.S.C. 9904(c)(2)(A)).

"(5) COMMUNITY-BASED AGENCY.—The term 'community-based agency' means a private not-for-profit organization, including a church or other religious entity, that is representative of a community and that is engaged in meeting human, educational, environmental, or public safety community needs.

"(6) CORPORATION.—The term 'Corporation' means the Corporation for National and Community Service established under section 191.

"(7) ECONOMICALLY DISADVANTAGED.—The term 'economically disadvantaged' means, with respect to an individual, an individual who is determined by the President to be low-income according to the latest available data from the Department of Commerce.

"(8) ELEMENTARY SCHOOL.—The term 'elementary school' has the same meaning given such term in section 1471(8) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(8)).

"(9) INDIAN.—The term 'Indian' means a person who is a member of an Indian tribe, or is a 'Native', as defined in section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b)).

"(10) INDIAN LANDS.—The term 'Indian lands' means any real property owned by an Indian tribe, any real property held in trust by the United States for an Indian or Indian tribe, and any real property held by an Indian or Indian tribe that is subject to restrictions on alienation imposed by the United States.

"(11) INDIAN TRIBE.—The term 'Indian tribe' means—

"(A) an Indian tribe, band, nation, or other organized group or community, including—

"(i) any Native village, as defined in section 3(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(c)), whether organized traditionally or pursuant to the Act of June 18, 1934 (commonly known as the 'Indian Reorganization Act'; 48 Stat. 984, chapter 576; 25 U.S.C. 461 et seq.); and

"(ii) any Regional Corporation or Village Corporation, as defined in subsection (g) or (j), respectively, of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602 (g) or (j)).

that is recognized as eligible for the special programs and services provided by the United States under Federal law to Indians because of their status as Indians; and

"(B) any tribal organization controlled, sanctioned, or chartered by an entity described in subparagraph (A).

"(12) INDIVIDUAL WITH A DISABILITY.—Except as provided in section 175(a), the term 'individual with a disability' has the meaning given the term in section 7(8) of the Rehabilitation Act of 1973 (29 U.S.C. 706(8)).

"(13) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the same meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

"(14) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the same meaning given such term in section 1471(12) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(12)).

"(15) NATIONAL SERVICE LAWS.—The term 'national service laws' means this Act and the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

"(16) OUT-OF-SCHOOL YOUTH.—The term 'out-of-school youth' means an individual who—

"(A) has not attained the age of 27;

"(B) has not completed college or the equivalent thereof; and

"(C) is not enrolled in an elementary or secondary school or institution of higher education.

"(17) PARTICIPANT.—

"(A) IN GENERAL.—The term 'participant' means—

"(i) for purposes of subtitle C, an individual in an approved national service position; and

"(ii) for purposes of any other provision of this Act, an individual enrolled in a program that receives assistance under this title.

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

"(18) PARTNERSHIP PROGRAM.—The term 'partnership program' means a program through which an adult volunteer, a public or private not-for-profit agency, an institution of higher education, or a business assists a local educational agency.

"(19) PRESIDENT.—The term 'President', except when used as part of the term 'President of the United States' means the President of the Corporation appointed under section 193.

"(20) PROGRAM.—The term 'program', except when used as part of the term 'academic program', means a program described in section 111(a) (other than a program referred to in paragraph (3)(B) of such section), 117A(a), 119(b)(1), or 122(a), in paragraph (1) or (2) of section 152(b), or in section 198.

"(21) PROJECT.—The term 'project' means an activity, carried out through a program that receives assistance under this title, that results in a specific identifiable service or improvement that otherwise would not be done with existing funds, and that does not duplicate the routine services or functions of the employer to whom participants are assigned.

"(22) SCHOOL-AGE YOUTH.—The term 'school-age youth' means—

"(A) individuals between the ages of 5 and 17, inclusive; and

"(B) children with disabilities, as defined in section 602(a)(1) of the Individuals with Disabilities Education Act, who receive services under part B of such Act.

"(23) SECONDARY SCHOOL.—The term 'secondary school' has the same meaning given such term in section 1471(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2291(21)).

"(24) SERVICE-LEARNING.—The term 'service-learning' means a method—

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

"(i) is conducted in and meets the needs of a community;

"(ii) is coordinated with an elementary school, secondary school, institution of higher education, or community service program, and with the community; and

"(iii) helps foster civic responsibility; and

"(B) that—

"(i) is integrated into and enhances the academic curriculum of the students, or the educational components of the community service program in which the participants are enrolled; and

"(ii) provides structured time for the students or participants to reflect on the service experience.

"(25) SERVICE-LEARNING COORDINATOR.—The term 'service-learning coordinator' means an individual who provides services as described in section 111(a)(3).

"(26) SERVICE SPONSOR.—The term 'service sponsor' means an organization, or other entity, that has been selected to provide a placement for a participant.

"(27) STATE.—The term 'State' means each of the several States, the District of Colum-

bia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. The term also includes Palau, until such time as the Compact of Free Association is ratified.

"(28) STATE COMMISSION.—The term 'State Commission' means a State Commission on National and Community Service maintained by a State pursuant to section 178. Except when used in section 178, the term includes an alternative administrative entity for a State approved by the Corporation under such section to act in lieu of a State Commission.

"(29) STATE EDUCATIONAL AGENCY.—The term 'State educational agency' has the same meaning given such term in section 1471(23) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2291(23)).

"(30) STUDENT.—The term 'student' means an individual who is enrolled in an elementary or secondary school or institution of higher education on a full- or part-time basis."

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 182(a)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12642(a)(2)) is amended by striking "adult volunteer and partnership" each place the term appears and inserting "partnership".

(2) Section 182(a)(3) of the National and Community Service Act of 1990 (42 U.S.C. 12642(a)(3)) is amended by striking "adult volunteer and partnership" and inserting "partnership".

(3) Section 441(c)(2) of the Higher Education Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by striking "service opportunities or youth corps as defined in section 101 of the National and Community Service Act of 1990, and service in the agencies, institutions and activities designated in section 124(a) of the National and Community Service Act of 1990" and inserting "a project, as defined in section 101(21) of the National and Community Service Act of 1990 (42 U.S.C. 12511(18))".

(4) Section 1122(a)(2)(C) of the Higher Education Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is amended by striking "youth corps as defined in section 101(30) of the National and Community Service Act of 1990" and inserting "youth corps programs, as described in section 122(a)(1) of the National and Community Service Act of 1990".

(5) Section 1201(p) of the Higher Education Act of 1965 (20 U.S.C. 1141(p)) is amended by striking "section 101(22) of the National and Community Service Act of 1990" and inserting "section 101(24) of the National and Community Service Act of 1990 (42 U.S.C. 12511(21))".

SEC. 112. AUTHORITY TO MAKE STATE GRANTS.

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

SEC. 113. FAMILY AND MEDICAL LEAVE.

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

"SEC. 171. FAMILY AND MEDICAL LEAVE.

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

"(1) a participant has provided service for the period required by section 101(2)(A)(i) (29 U.S.C. 2611(2)(A)(i)), and has met the hours of service requirement of section 101(2)(A)(ii), of such Act with respect to a project; and

"(2) the service sponsor of the project is an employer described in section 101(4) of such Act (other than an employing agency within the meaning of subchapter V of chapter 63 of title 5, United States Code),

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

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

"(1) a participant has provided service for the period required by section 6361(1)(B) of such title with respect to a project; and

"(2) the service sponsor of the project is an employing agency within the meaning of such subchapter,

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

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the item relating to section 171 of such Act and inserting the following:

"Sec. 171. Family and medical leave."

SEC. 114. REPORTS.

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

(1) in subsection (a)(3)(A) by striking "sections 177 and 113(9)" and inserting "section 177"; and

(2) in subsection (b)(1), by striking "this title" and inserting "the national service laws".

SEC. 115. NONDISCRIMINATION.

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

"SEC. 175. NONDISCRIMINATION.

"(a) IN GENERAL.—

"(1) BASIS.—An individual with responsibility for the operation of a project that receives assistance under this title shall not discriminate against a participant in, or member of the staff of, such project on the basis of race, color, national origin, sex, age, or political affiliation of such participant or member, or on the basis of disability, if the participant or member is a qualified individual with a disability.

"(2) DEFINITION.—As used in paragraph (1), the term 'qualified individual with a disability' has the meaning given the term in section 101(8) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111(8)).

"(b) FEDERAL FINANCIAL ASSISTANCE.—Any assistance provided under this title shall constitute Federal financial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), and shall constitute Federal financial assistance to an education program or activity for purposes of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.).

"(c) RELIGIOUS DISCRIMINATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), an individual with responsibility for the operation of a project that receives assistance under this title shall not discriminate on the basis of religion against a participant in such project or a member of the staff of such project who is paid with funds received under this title.

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

"(d) RULES AND REGULATIONS.—The President shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until

notice and an opportunity to be heard can be provided."

SEC. 116. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

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

(1) in paragraph (1), by inserting ", or revoke the designation of positions, related to the grant or contract, as approved national service positions," before "whenever the Commission"; and

(2) in paragraph (2)(B), by inserting "or revoked" after "terminated".

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

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

"(f) GRIEVANCE PROCEDURE.—

"(1) IN GENERAL.—A State or local applicant that receives assistance under this title shall establish and maintain a procedure for the filing and adjudication of grievances from participants, labor organizations, and other interested individuals concerning projects that receive assistance under this title, including grievances regarding proposed placements of such participants in such projects.

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

"(3) DEADLINE FOR HEARING AND DECISION.—

"(A) HEARING.—A hearing on any grievance conducted under this subsection shall be conducted not later than 30 days after the filing of such grievance.

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

"(4) ARBITRATION.—

"(A) IN GENERAL.—

"(i) JOINTLY SELECTED ARBITRATOR.—In the event of a decision on a grievance that is adverse to the party who filed such grievance, or 60 days after the filing of such grievance, if no decision has been reached, such party shall be permitted to submit such grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties.

"(ii) APPOINTED ARBITRATOR.—If the parties cannot agree on an arbitrator, the President shall appoint an arbitrator from a list of qualified arbitrators within 15 days after receiving a request for such appointment from one of the parties to the grievance.

"(B) DEADLINE FOR PROCEEDING.—An arbitration proceeding shall be held not later than 45 days after the request for such arbitration proceeding, or, if the arbitrator is appointed by the President in accordance with subparagraph (A)(ii), not later than 30 days after the appointment of such arbitrator.

"(C) DEADLINE FOR DECISION.—A decision concerning a grievance shall be made not later than 30 days after the date such arbitration proceeding begins.

"(D) COST.—

"(1) IN GENERAL.—Except as provided in clause (ii), the cost of an arbitration proceeding shall be divided evenly between the parties to the arbitration.

"(ii) EXCEPTION.—If a participant, labor organization, or other interested individual described in paragraph (1) prevails under a binding arbitration proceeding, the State, local agency, public or private not-for-profit organization, or partnership of such agencies and organizations, that is a party to such grievance shall pay the total cost of such proceeding and the attorneys' fees of such

participant, labor organization, or individual, as the case may be.

"(5) PROPOSED PLACEMENT.—If a grievance is filed regarding a proposed placement of a participant in a project that receives assistance under this title, such placement shall not be made unless the placement is consistent with the resolution of the grievance pursuant to this subsection.

"(6) REMEDIES.—Remedies for a grievance filed under this subsection include—

"(A) suspension of payments for assistance under this title;

"(B) termination of such payments;

"(C) prohibition of the placement described in paragraph (5); and

"(D) in a case in which the grievance involves a violation of subsection (a) or (b) of section 177 and the employer of the displaced employee is the recipient of assistance under this title—

"(i) reinstatement of the displaced employee to the position held by such employee prior to displacement;

"(ii) payment of lost wages and benefits of the displaced employee;

"(iii) reestablishment of other relevant terms, conditions, and privileges of employment of the displaced employee; and

"(iv) such equitable relief as is necessary to correct any violation of subsection (a) or (b) of section 177 or to make the displaced employee whole.

"(7) ENFORCEMENT.—Suits to enforce arbitration awards under this section may be brought in any district court of the United States having jurisdiction of the parties, without regard to the amount in controversy and without regard to the citizenship of the parties."

SEC. 117. NONDISPLACEMENT.

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

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

"(B) SUPPLANTATION OF HIRING.—A participant in any program receiving assistance under this title shall not perform any services or duties, or engage in activities, that—

"(i) will supplant the hiring of employed workers; or

"(ii) are services, duties, or activities with respect to which an individual has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures.";

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

"(iii) employee who—

"(I) is subject to a reduction in force; or

"(II) has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures.";

SEC. 118. EVALUATION.

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

(1) in subsection (a)(2)—

(A) in the matter preceding subparagraph (A), by striking "for purposes of the reports required by subsection (j)," and inserting "with respect to the programs authorized under subtitle C,"; and

(B) in subparagraph (A), by striking "older American volunteer programs" and inserting "National Senior Volunteer Corps programs";

(2) in subsection (g)—

(A) in the matter preceding paragraph (1), by striking "subtitle D" and inserting "subtitle C"; and

(B) in paragraphs (3) and (9), by striking "older American volunteer programs" and inserting "National Senior Volunteer Corps programs";

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

(4) by adding at the end the following:

"(1) INDEPENDENT EVALUATION AND REPORT OF DEMOGRAPHICS OF NATIONAL SERVICE PARTICIPANTS AND COMMUNITIES.—

"(i) INDEPENDENT EVALUATION.—

"(A) IN GENERAL.—The Corporation shall, on an annual basis, arrange for an independent evaluation of the programs assisted under subtitle C.

"(B) PARTICIPANTS.—

"(1) IN GENERAL.—The entity conducting such evaluation shall determine the demographic characteristics of the participants in such programs.

"(ii) CHARACTERISTICS.—The entity shall determine, for the year covered by the evaluation, the total number of participants in the programs, and the number of participants within the programs in each State, by sex, age, economic background, education level, ethnic group, disability classification, and geographic region.

"(iii) CATEGORIES.—The Corporation shall determine appropriate categories for analysis of each of the characteristics referred to in clause (ii) for purposes of such an evaluation.

"(C) COMMUNITIES.—In conducting the evaluation, the entity shall determine the amount of assistance provided under section 121 during the year that has been expended for projects conducted under the programs in areas described in section 133(c)(6).

"(2) REPORT.—The entity conducting the evaluation shall submit a report to the President, Congress, the Corporation, and each State Commission containing the results of the evaluation—

"(A) with respect to the evaluation covering the year beginning on the date of enactment of this subsection, not later than 18 months after such date; and

"(B) with respect to the evaluation covering each subsequent year, not later than 18 months after the first day of each such year."

SEC. 119. ENGAGEMENT OF PARTICIPANTS.

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

SEC. 120. CONTINGENT EXTENSION.

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

"SEC. 181. CONTINGENT EXTENSION.

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

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the item relating to sections 181 of such Act and inserting the following:

"Sec. 181. Contingent extension."

SEC. 121. AUDITS.

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

"SEC. 183. RIGHTS OF ACCESS, EXAMINATION, AND COPYING.

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

"(1) within the possession or control of the Corporation or any State or local government, Indian tribe, or public or private not-for-profit organization receiving assistance directly or indirectly under this Act; and

"(2) that the Comptroller General, or his representative, considers necessary to the

performance of an evaluation, audit, or review.

"(b) CHIEF FINANCIAL OFFICER.—The Chief Financial Officer of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

"(1) within the possession or control of the Corporation or any State or local government, Indian tribe, or public or private not-for-profit organization receiving assistance directly or indirectly under this Act; and

"(2) that relate to the duties of the Chief Financial Officer."

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

"Sec. 183. Rights of access, examination, and copying."

SEC. 131. REPEALS.

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

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the item relating to section 185 of such Act.

SEC. 132. EFFECTIVE DATE.

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

TITLE II—ORGANIZATION

SEC. 201. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

(a) COMPOSITION AND DUTIES OF STATE COMMISSIONS.—Subtitle F of title I of the National and Community Service Act of 1990 is amended by striking section 178 (42 U.S.C. 12638) and inserting the following new section:

"SEC. 178. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

"(a) EXISTENCE REQUIRED.—

"(1) STATE COMMISSION.—Except as provided in paragraph (2), to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State shall maintain a State Commission on National and Community Service that satisfies the requirements of this section.

"(2) ALTERNATIVE ADMINISTRATIVE ENTITY.—The chief executive officer of a State may apply to the Corporation for approval to use an alternative administrative entity to carry out the duties otherwise entrusted to a State Commission under this Act. The chief executive officer shall ensure that any alternative administrative entity used in lieu of a State Commission still provides for the individuals described in paragraph (1), and some of the individuals described in paragraph (2), of subsection (c) to play a significant policymaking role in carrying out the duties otherwise entrusted to a State Commission, including the submission of applications on behalf of the State under sections 117B and 130.

"(b) APPOINTMENT AND SIZE.—Except as provided in subsection (c)(3), the members of a State Commission for a State shall be appointed by the chief executive officer of the State. A State Commission shall consist of not less than 7 voting members and not more than 25 voting members.

"(c) COMPOSITION AND MEMBERSHIP.—

"(1) REQUIRED MEMBERS.—The State Commission for a State shall include as voting members at least one representative from each of the following categories:

"(A) Individuals between the ages of 16 and 25 who are participants or supervisors in programs.

"(B) National service programs, such as youth corps programs.

"(C) School-based or community-based programs for school-age youth.

"(D) Programs in which older adults are participants.

"(E) Local and State governmental entities in the State, including the State educational agency (from which at least one such member shall be appointed).

"(F) Local labor organizations.

"(2) SOURCES OF OTHER MEMBERS.—The State Commission for a State may include as voting members the following:

"(A) Representatives of community-based organizations or community-based agencies, including community action agencies.

"(B) Members selected from among participants in service programs who are youths.

"(C) Members selected from among local educators.

"(D) Members selected from among experts in the delivery of human, educational, environmental, or public safety services to communities and persons.

"(E) Representatives of businesses and business groups.

"(F) Representatives of Indian tribes.

"(G) Representatives of groups serving economically disadvantaged individuals.

"(H) Members selected from among out-of-school youth or other at-risk youth.

"(I) Members selected from among older adults who are volunteers or participants in national service programs.

"(3) CORPORATION REPRESENTATIVE.—The representative of the Corporation designated under section 195(b) for a State shall be an ex officio nonvoting member of the State Commission or alternative administrative entity for that State.

"(4) EX OFFICIO STATE REPRESENTATIVES.—The chief executive officer of a State shall appoint, as an ex officio nonvoting member of the State Commission for the State, the Corporation employee responsible for volunteer service programs in the State, if such employee is not the representative described in paragraph (3). The chief executive officer may appoint, as ex officio nonvoting members of the State Commission for the State, representatives selected from among officers and employees of State agencies operating community service, youth service, education, social service, senior service, and job training programs.

"(5) LIMITATION ON NUMBER OF STATE EMPLOYEES AS MEMBERS.—The number of voting members of a State Commission selected under paragraph (1) or (2) who are officers or employees of the State may not exceed 25 percent (reduced to the nearest whole number) of the total membership of the State Commission.

"(d) MISCELLANEOUS MATTERS.—

"(1) MEMBERSHIP BALANCE.—The chief executive officer of a State shall ensure, to the maximum extent practicable, that the membership of the State Commission for the State is diverse with respect to race, ethnicity, age, gender, and disability characteristics. Not more than 50 percent of the voting members of a State Commission, plus one additional member, may be from the same political party.

"(2) TERMS.—Each member of the State Commission for a State shall serve for a term of 3 years, except that the chief executive officer of a State shall initially appoint a portion of the members to terms of 1 year and 2 years.

"(3) VACANCIES.—As vacancies occur on a State Commission, new members shall be appointed by the chief executive of the State and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the

power of the remaining members to execute the duties of the State Commission.

"(4) COMPENSATION.—A member of a State Commission or alternative administrative entity shall not receive any additional compensation by reason of service on the State Commission or alternative administrative entity, except that the State may authorize the reimbursement of travel expenses, including a per diem in lieu of subsistence, in the same manner as other employees serving intermittently in the service of the State.

"(5) CHAIRPERSON.—The voting members of a State Commission shall elect one of the voting members to serve as chairperson of the State Commission.

"(e) DUTIES OF A STATE COMMISSION.—The State Commission or alternative administrative entity for a State shall be responsible for the following duties:

"(1) Preparation of a national service plan for the State that may build on any comprehensive State plan submitted pursuant to regulations issued under the National and Community Service Act of 1990, and that—

"(A) covers a 3-year period;

"(B) is updated annually;

"(C) contains such information as the State Commission or alternative administrative entity considers to be appropriate or as the Corporation may require; and

"(D) ensures outreach to diverse community-based agencies that serve underrepresented populations, by—

"(i) using established networks, and registries, at the State level; or

"(ii) establishing such networks and registries.

"(2) Preparation of the applications of the State under sections 117B and 130 for financial assistance, in such a manner as to ensure that any decision regarding whether to include a program in the application shall be made on the basis of the criteria described in section 133(c), applied in a fair and equitable manner by an impartial decisionmaker.

"(3) Assistance in the preparation of the application of the State educational agency for assistance under section 113.

"(4) Preparation of the application of the State under section 130 for the approval of service positions that include the national service educational award described in subtitle D.

"(5) Assistance in the provision of health care and child care benefits under section 140 to participants in national service programs that receive assistance under section 121.

"(6) Development of a State system for the recruitment and placement of participants in national service programs that receive assistance under section 121 and dissemination of information concerning national service programs that receive assistance and approved national service positions.

"(7) Administration of the grant program in support of national service programs that is conducted by the State using assistance provided to the State under section 121, including selection, oversight, and evaluation of grant recipients.

"(8) Development of projects, training methods, curriculum materials, and other materials and activities related to national service programs that receive assistance directly from the Corporation (to be made available in a case in which such a program requests such a project, method, material, or activity) or from the State using assistance provided under section 121, for use by programs that request such projects, methods, materials, and activities.

"(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A State Commission or alternative administrative entity may not directly carry out any national service program that receives assistance under section 121.

"(g) DELEGATION.—Subject to such requirements as the Corporation may prescribe, a State Commission may delegate nonpolicy-making duties to a State agency or public or private not-for-profit organization.

"(h) APPROVAL OF STATE COMMISSION OR ALTERNATIVE.—

"(1) SUBMISSION TO CORPORATION.—The chief executive officer for a State shall notify the Corporation of the establishment or designation of the State Commission or use of an alternative administrative entity for the State. The notification shall include a description of—

"(A) the composition and membership of the State Commission or alternative administrative entity; and

"(B) the authority of the State Commission or alternative administrative entity regarding national service activities carried out by the State.

"(2) APPROVAL OF ALTERNATIVE ADMINISTRATIVE ENTITY.—Any designation of a State Commission or use of an alternative administrative entity to carry out the duties of a State Commission shall be subject to the approval of the Corporation, which shall not be unreasonably withheld. The Corporation shall approve an alternative administrative entity if such entity provides for individuals described in subsection (c) to play a significant policymaking role in carrying out the duties otherwise entrusted to a State Commission, including the duties described in paragraphs (1) through (4) of subsection (e).

"(3) REJECTION.—The Corporation may reject a State Commission if the Corporation determines that the composition, membership, or duties of the State Commission do not comply with the requirements of this section. The Corporation may reject a request to use an alternative administrative entity in lieu of a State Commission if the Corporation determines that the entity does not provide for individuals described in subsection (c) to play a significant policymaking role as described in paragraph (2). If the Corporation rejects a State Commission or alternative administrative entity under this paragraph, the Corporation shall promptly notify the State of the reasons for the rejection.

"(4) RESUBMISSION AND RECONSIDERATION.—The Corporation shall provide a State notified under paragraph (3) with a reasonable opportunity to revise the rejected State Commission or alternative administrative entity. At the request of the State, the Corporation shall provide technical assistance to the State as part of the revision process. The Corporation shall promptly reconsider any resubmission of a notification under paragraph (1) or application to use an alternative administrative entity under paragraph (2).

"(5) SUBSEQUENT CHANGES.—This subsection shall also apply to any change in the composition or duties of a State Commission or an alternative administrative entity made after approval of the State Commission or the alternative administrative entity.

"(6) RIGHTS, BENEFITS, AND SUPPORT.—An alternative administrative entity approved by the Corporation under this subsection shall have the same rights as a State Commission, and shall receive from the Corporation the same benefits and support as the Corporation provides to a State Commission.

"(1) COORDINATION.—

"(1) COORDINATION WITH OTHER STATE AGENCIES.—The State Commission or alternative administrative entity for a State shall coordinate the activities of the Commission or entity under this Act with the activities of other State agencies that administer Federal financial assistance programs under the Community Services Block Grant Act (42

U.S.C. 9901 et seq.) or other appropriate Federal financial assistance programs.

"(2) COORDINATION WITH VOLUNTEER SERVICE PROGRAMS.—

"(A) IN GENERAL.—The State Commission or alternative administrative entity for a State shall coordinate functions of the Commission or entity (including recruitment, public awareness, and training activities) with such functions of any division of ACTION, or of the Corporation, that carries out volunteer service programs in the State.

"(B) AGREEMENT.—In coordinating functions under this paragraph, such Commission or entity, and such division, may enter into an agreement to—

"(i) carry out such a function jointly;

"(ii) to assign responsibility for such a function to the Commission or entity; or

"(iii) to assign responsibility for such a function to the division.

"(C) INFORMATION.—The State Commission or alternative entity for a State, and the head of any such division, shall exchange information about—

"(i) the programs carried out in the State by the Commission, entity, or division, as appropriate; and

"(ii) opportunities to coordinate activities.

"(J) LIABILITY.—

"(1) LIABILITY OF STATE.—Except as provided in paragraph (2)(B), a State shall agree to assume liability with respect to any claim arising out of or resulting from any act or omission by a member of the State Commission or alternative administrative entity of the State, within the scope of the service of the member on the State Commission or alternative administrative entity.

"(2) OTHER CLAIMS.—

"(A) IN GENERAL.—A member of the State Commission or alternative administrative entity shall have no personal liability with respect to any claim arising out of or resulting from any act or omission by such person, within the scope of the service of the member on the State Commission or alternative administrative entity.

"(B) LIMITATION.—This paragraph shall not be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other act or omission outside the scope of the service of such member on the State Commission or alternative administrative entity.

"(3) EFFECT ON OTHER LAW.—This subsection shall not be construed—

"(A) to affect any other immunities and protections that may be available to such member under applicable law with respect to such service;

"(B) to affect any other right or remedy against the State under applicable law, or against any person other than a member of the State Commission or alternative administrative entity; or

"(C) to limit or alter in any way the immunities that are available under applicable law for State officials and employees not described in this subsection."

"(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the item relating to section 178 and inserting the following new item:

"Sec. 178. State Commissions on National and Community Service."

"(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1993.

"(d) TRANSITIONAL PROVISIONS.—

"(1) USE OF ALTERNATIVES TO STATE COMMISSION.—If a State does not have a State Commission on National and Community Service that satisfies the requirements specified in

section 178 of the National and Community Service Act of 1990, as amended by subsection (a), the Corporation for National and Community Service may authorize the chief executive of the State to use an existing agency of the State to perform the duties otherwise reserved to a State Commission under subsection (e) of such section.

"(2) APPLICATION OF SUBSECTION.—This subsection shall apply only during the 1-year period beginning on the date of the enactment of this Act.

SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE AND ACTION AGENCY.

"(a) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—Subtitle G of title I of the National and Community Service Act of 1990 (42 U.S.C. 12651) is amended to read as follows:

"Subtitle G—Corporation for National and Community Service

"SEC. 101. CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.

"There is established a Corporation for National and Community Service that shall administer the programs established under this Act. The Corporation shall be a Government corporation, as defined in section 103 of title 5, United States Code.

"SEC. 102. BOARD OF DIRECTORS.

"(a) COMPOSITION.—

"(1) IN GENERAL.—There shall be in the Corporation a Board of Directors (referred to in this subtitle as the 'Board') that shall be composed of—

"(A) 15 members, including an individual between the ages of 16 and 25 who—

"(i) has served in a school-based or community-based service-learning program; or

"(ii) is a participant or a supervisor in a program.

to be appointed by the President of the United States, by and with the advice and consent of the Senate;

"(B) the President of the Corporation, who shall serve as an ex officio nonvoting member; and

"(C) the ex officio nonvoting members described in paragraph (3).

"(2) QUALIFICATIONS.—To the maximum extent practicable, the President of the United States shall appoint members—

"(A) who have extensive experience in volunteer or service activities, such as—

"(i) activities funded under the national service laws; and

"(ii) Federal financial assistance activities, such as—

"(I) activities under the Head Start Act (42 U.S.C. 9831 et seq.);

"(II) activities under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.); or

"(III) antipoverty activities under other Federal law;

that have a volunteer or service focus;

"(B) who represent a broad range of viewpoints;

"(C) who are experts in the delivery of human, educational, environmental, or public safety services;

"(D) that include at least one representative of local educators and at least one representative of community-based agencies;

"(E) so that the Board shall be diverse with respect to race, ethnicity, age, gender, and disability characteristics; and

"(F) so that no more than 8 appointed members of the Board are from a single political party.

"(3) EX OFFICIO MEMBERS.—The Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Housing and Urban Development, the Secretary of De-

fense, the Attorney General, the Director of the Peace Corps, and the Administrator of the Environmental Protection Agency shall serve as ex officio nonvoting members of the Board.

"(b) OFFICERS.—

"(1) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall elect a Chairperson and a Vice Chairperson from among its membership.

"(2) OTHER OFFICERS.—The Board may elect from among its membership such additional officers of the Board as the Board determines to be appropriate.

"(c) TERMS.—Each appointed member of the Board shall serve for a term of 3 years, except that 5 of the members first appointed to the Board after the date of enactment of this section shall serve for a term of 1 year and 5 shall serve for a term of 2 years, as designated by the President of the United States.

"(d) VACANCIES.—As vacancies occur on the Board, new members shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the power of the remaining members to execute the duties of the Board.

"SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF DIRECTORS.

"(a) MEETINGS.—The Board shall meet not less than 3 times each year. The Board shall hold additional meetings at the call of the Chairperson of the Board, or if 6 members of the Board request such meetings in writing.

"(b) QUORUM.—A majority of the appointed members of the Board shall constitute a quorum.

"(c) AUTHORITIES OF OFFICERS.—

"(1) CHAIRPERSON.—The Chairperson of the Board may call and conduct meetings of the Board.

"(2) VICE CHAIRPERSON.—The Vice Chairperson of the Board may conduct meetings of the Board in the absence of the Chairperson.

"(d) EXPENSES.—While away from their homes or regular places of business on the business of the Board, members of such Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, for persons employed intermittently in the Government service.

"(e) SPECIAL GOVERNMENT EMPLOYEES.—For purposes of the provisions of chapter 11 of part I of title 18, United States Code, and any other provision of Federal law, a member of the Board (to whom such provisions would not otherwise apply except for this subsection) shall be a special Government employee.

"(f) STATUS OF MEMBERS.—

"(1) TORT CLAIMS.—For the purposes of the tort claims provisions of chapter 171 of title 28, United States Code, a member of the Board shall be considered to be a Federal employee.

"(2) OTHER CLAIMS.—A member of the Board shall have no personal liability under Federal law with respect to any claim arising out of or resulting from any act or omission by such person, within the scope of the service of the member on the Board, in connection with any transaction involving the provision of financial assistance by the Corporation. This paragraph shall not be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other act or omission outside the scope of the service of such member on the Board.

"(3) EFFECT ON OTHER LAW.—This subsection shall not be construed—

"(A) to affect any other immunities and protections that may be available to such member under applicable law with respect to such transactions;

"(B) to affect any other right or remedy against the Corporation, against the United States under applicable law, or against any person other than a member of the Board participating in such transactions; or

"(C) to limit or alter in any way the immunities that are available under applicable law for Federal officials and employees not described in this subsection.

"(g) DUTIES.—The Board shall—

"(1) review and approve the strategic plan described in section 193A(b)(1), and annual updates of the plan;

"(2) review and approve the proposal described in section 193A(b)(2)(A), with respect to the grants, allotments, contracts, financial assistance, payment, and positions referred to in such section;

"(3) review and approve the proposal described in section 193A(b)(3)(A), regarding the regulations, standards, policies, procedures, programs, and initiatives referred to in such section;

"(4) review and approve the evaluation plan described in section 193A(b)(4)(A);

"(5)(A) review, and advise the President regarding, the actions of the President with respect to the personnel of the Corporation, and with respect to such standards, policies, procedures, programs, and initiatives as are necessary or appropriate to carry out this Act; and

"(B) inform the President of any aspects of the actions of the President that are not in compliance with the annual strategic plan referred to in paragraph (1), the proposals referred to in paragraphs (2) and (3), or the plan referred to in paragraph (4), or are not consistent with the objectives of this Act;

"(6) receive any report as provided under section 8E (b), (c), or (d) of the Inspector General Act of 1978;

"(7) make recommendations relating to a program of research for the Corporation with respect to national and community service programs, including service-learning programs;

"(8) advise the President of the United States and the Congress concerning developments in national and community service that merit the attention of the President of the United States and the Congress;

"(9) ensure effective dissemination of information regarding the programs and initiatives of the Corporation; and

"(10) prepare and make recommendations to the Congress and the President of the United States for changes in this Act resulting from the studies and demonstrations the President of the Corporation is required to carry out under section 193A(b)(10), which recommendations shall be submitted to the Congress and President of the United States not later than September 30, 1995.

"(h) ADMINISTRATION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the Board.

"SEC. 193. PRESIDENT.

"(a) APPOINTMENT.—The Corporation shall be headed by an individual who shall serve as President of the Corporation, and who shall be appointed by the President of the United States, by and with the advice and consent of the Senate.

"(b) COMPENSATION.—The President shall be compensated at the rate provided for level III of the Executive Schedule under section 5314 of title 5, United States Code.

"(c) REGULATIONS.—The President shall prescribe such rules and regulations as are necessary or appropriate to carry out this Act.

"SEC. 193A. AUTHORITIES AND DUTIES OF THE PRESIDENT.

"(a) GENERAL POWERS AND DUTIES.—The President shall be responsible for the exercise of the powers and the discharge of the duties of the Corporation that are not reserved to the Board, and shall have authority and control over all personnel of the Corporation, except as provided in section 194(b)(4).

"(b) DUTIES.—In addition to the duties conferred on the President under any other provision of this Act, the President shall—

"(1) prepare and submit to the Board a strategic plan every 3 years, and annual updates of the plan, for the Corporation with respect to the major functions and operations of the Corporation;

"(2)(A) prepare and submit to the Board a proposal with respect to such grants and allotments, contracts, other financial assistance, and designation of positions as approved national service positions, as are necessary or appropriate to carry out this Act; and

"(B) after receiving and reviewing an approved proposal under section 192A(g)(2), make such grants and allotments, enter into such contracts, award such other financial assistance, make such payments (in lump sum or installments, and in advance or by way of reimbursement, and in the case of financial assistance otherwise authorized under this Act, with necessary adjustments on account of overpayments and underpayments), and designate such positions as approved national service positions as are necessary or appropriate to carry out this Act;

"(3)(A) prepare and submit to the Board a proposal regarding the regulations established under section 195(a)(4)(B)(1), and such other standards, policies, procedures, programs, and initiatives as are necessary or appropriate to carry out this Act; and

"(B) after receiving and reviewing an approved proposal under section 192A(g)(3)—

"(i) establish such standards, policies, and procedures as are necessary or appropriate to carry out this Act; and

"(ii) establish and administer such programs and initiatives as are necessary or appropriate to carry out this Act;

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

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

"(i) establish measurable performance goals and objectives for such programs, in accordance with section 179; and

"(ii) provide for periodic evaluation of such programs to assess the manner and extent to which the programs achieve the goals and objectives, in accordance with such section;

"(5) consult with appropriate Federal agencies in administering the programs and initiatives;

"(6) suspend or terminate payments and positions described in paragraph (2)(B), in accordance with section 176;

"(7) prepare and submit to the Board an annual report, and such interim reports as may be necessary, describing the major actions of the President with respect to the personnel of the Corporation, and with respect to such standards, policies, procedures, programs, and initiatives;

"(8) inform the Board of, and provide an explanation to the Board regarding, any substantial differences regarding the implementation of this Act between—

"(A) the actions of the President; and

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

"(ii) the proposals approved by the Board under paragraph (2) or (3) of section 192A(g); or

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

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

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

"(B) the manner in which the Corporation used or disposed of such services, money, and property; and

"(C) information on the results achieved by the programs funded under this Act during the year preceding the year in which the report is prepared; 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—

"(A) the administration and organization of programs authorized under the national service laws or under Public Law 91-378 (referred to in this subparagraph as 'service programs'), including—

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

"(ii) the manner in which—

"(I) educational and other outcomes of both stipended and nonstipended service and service-learning are defined and measured in such service programs; and

"(II) such outcomes should be defined and measured in such service programs;

"(iii) whether stipended service programs, and service programs providing educational benefits in return for service, should focus on economically disadvantaged individuals or at-risk youth or whether such programs should include a mix of individuals, including individuals from middle- and upper-income families;

"(iv) the role and importance of stipends and educational benefits in achieving desired outcomes in the service programs;

"(v) the potential for cost savings and coordination of support and oversight services from combining functions performed by ACTION State offices and State Commissions;

"(vi) the implications of the results from such studies and demonstrations for authorized funding levels for the service programs; and

"(vii) other issues that the Director determines to be relevant to the administration and organization of the service programs; and

"(B) the number, potential consolidation, and future organization of national service or domestic volunteer service programs that are authorized under Federal law, including VISTA, service corps assisted under subtitle C and other programs authorized by this Act, programs administered by the Public Health Service, the Department of Defense, or other Federal agencies, programs regarding teacher corps, and programs regarding work-study and higher education loan forgiveness or forbearance programs authorized by the Higher Education Act of 1965 related to community service.

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

"(1) establish, alter, consolidate, or discontinue such organizational units or components within the Corporation as the President considers necessary or appropriate, consistent with Federal law, and shall, to the maximum extent practicable, consolidate such units or components of the division of the Corporation that carries out volunteer service programs and the division of the Cor-

poration that carries out financial assistance programs as may be appropriate to enable the two divisions to coordinate common support functions, such as recruiting, public awareness, or training functions;

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

"(3) with their consent, utilize the services and facilities of Federal agencies with or without reimbursement, and, with the consent of any State, or political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivisions without reimbursement;

"(4) allocate and expend funds made available under this Act, including expenditure for construction, repairs, and capital improvements;

"(5) disseminate, without regard to the provisions of section 3204 of title 39, United States Code, data and information, in such form as the President shall determine to be appropriate to public agencies, private organizations, and the general public;

"(6) collect or compromise all obligations to or held by the President and all legal or equitable rights accruing to the President in connection with the payment of obligations in accordance with chapter 37 of title 31, United States Code (commonly known as the 'Federal Claims Collection Act of 1966');

"(7) expend funds made available for purposes of this Act for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by the President;

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

"(9) exercise the authorities of the Corporation under section 196;

"(10) consolidate the reports to Congress required under this Act, and the report required under section 9106 of title 31, United States Code, into a single report, and submit the report to Congress on an annual basis; and

"(11) generally perform such functions and take such steps consistent with the objectives and provisions of this Act, as the President determines to be necessary or appropriate to carry out such provisions.

"(d) DELEGATION.—

"(1) DEFINITION.—As used in this subsection, the term 'function' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.

"(2) IN GENERAL.—Except as otherwise prohibited by law or provided in this Act, the President may delegate any function under this Act, and authorize such successive redelegations of such function as may be necessary or appropriate. No delegation of a function by the President under this subsection or under any other provision of this Act shall relieve such President of responsibility for the administration of such function.

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

"(e) ACTIONS.—In an action described in subsection (c)(8)—

"(1) a district court referred to in such subsection shall have jurisdiction of such a civil action without regard to the amount in controversy;

"(2) such an action brought by the President shall survive notwithstanding any change in the person occupying the office of President or any vacancy in that office;

"(3) no attachment, injunction, garnishment, or other similar process, mesne or

final, shall be issued against the President or the Board or property under the control of the President or the Board; and

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

"SEC. 194. OFFICERS.

"(a) MANAGING DIRECTORS.—

"(1) IN GENERAL.—There shall be in the Corporation 2 Managing Directors, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and who shall report to the President.

"(2) COMPENSATION.—The Managing Directors shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

"(3) DUTIES.—

"(A) VOLUNTEER SERVICE PROGRAMS.—One of the Managing Directors shall be primarily responsible for the volunteer service programs carried out by the Corporation.

"(B) INVESTMENT PROGRAMS.—The other Managing Director shall be primarily responsible for the financial assistance programs carried out by the Corporation.

"(b) INSPECTOR GENERAL.—

"(1) OFFICE.—There shall be in the Corporation an Office of the Inspector General.

"(2) APPOINTMENT.—The Office shall be headed by an Inspector General, appointed in accordance with the Inspector General Act of 1978.

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

"(c) CHIEF FINANCIAL OFFICER.—

"(1) OFFICE.—There shall be in the Corporation a Chief Financial Officer, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate.

"(2) COMPENSATION.—The Chief Financial Officer shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

"(3) DUTIES.—The Chief Financial Officer shall—

"(A) report directly to the President regarding financial management matters;

"(B) oversee all financial management activities relating to the programs and operations of the Corporation;

"(C) develop and maintain an integrated accounting and financial management system for the Corporation, including financial reporting and internal controls;

"(D) develop and maintain any joint financial management systems with the Department of Education necessary to carry out the programs of the Corporation; and

"(E) direct, manage, and provide policy guidance and oversight of the financial management personnel, activities, and operations of the Corporation.

"SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PERSONNEL.

"(a) EMPLOYEES.—

"(1) IN GENERAL.—Except as provided in section 194(b)(4), it is within the exclusive discretion of the President to appoint and determine the compensation of such employees as the President determines to be necessary to carry out the duties of the Corporation.

"(2) CIVIL SERVICE PROTECTIONS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the provisions of title 5, United States Code, shall apply with respect to the Corporation and the employees of the Corporation.

"(B) APPOINTMENT AND COMPENSATION.—Except as provided in section 194(b)(4), it is within the exclusive discretion of the President to appoint and determine the compensation of employees under this subsection without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates (other than the provisions described in clauses (iii) and (iv) of paragraph (4)(B)).

"(3) APPOINTMENT IN THE COMPETITIVE SERVICE AFTER EMPLOYMENT IN THE CORPORATION.—

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

"(B) EMPLOYEES WITH NOT LESS THAN 1 BUT LESS THAN 3 YEARS OF EMPLOYMENT.—If an employee, other than a representative described in subsection (b), is separated from the Corporation (other than by removal for cause), and has been continuously employed by the Corporation for a period of not less than 1 year, but less than 3 years, such period shall be treated as a period of service in the competitive service for purposes of chapter 33 of title 5, United States Code, until the date that is 3 years after the date of separation.

"(C) DEFINITION.—As used in this paragraph, the term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code.

"(4) APPOINTMENT AND COMPENSATION.—

"(A) IN GENERAL.—The Chairperson shall appoint and determine the compensation of employees referred to in paragraph (1), in accordance with the appointment and compensation systems referred to in subparagraph (B).

"(B) CORPORATION APPOINTMENT AND COMPENSATION SYSTEMS.—

"(i) ESTABLISHMENT OF SYSTEM.—The President, after reviewing the approved proposal of the Board under section 192A(g)(3) and after obtaining the approval of the Director of the Office of Personnel Management, shall issue regulations establishing appointment and compensation systems for the Corporation.

"(ii) CONTENT AND CONSIDERATIONS.—In issuing such regulations, the President shall—

"(I) establish appropriate appointment and compensation mechanisms for the representatives described in subsection (b); and

"(II) take into consideration the need for flexibility in such a system.

"(iii) APPOINTMENT SYSTEM.—The appointment system shall require that the appointment of such an employee be—

"(I) on the basis of the qualifications of applicants and the requirements of the position, in accordance with the merit system principles set forth in section 2301(b) of title 5, United States Code; and

"(II) through a competitive process.

"(iv) COMPENSATION SYSTEM.—

"(I) IN GENERAL.—The compensation system shall include a scheme for the classification of positions in the Corporation. The system shall require that the compensation of such an employee be determined based in part on the job performance of the employee, and in a manner consistent with the principles described in section 5301 of title 5, United States Code.

"(II) LIMITATION ON EMPLOYEE COMPENSATION.—The rate of compensation for each employee compensated through the system shall not exceed the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

"(III) LIMITATION ON COMPENSATION OF REPRESENTATIVE.—The rate of pay for a representative described in subsection (b) shall not exceed the maximum rate of basic pay payable for grade GS-13 of the General Schedule under section 5332 of title 5, United States Code.

"(5) RETENTION OF CIVIL SERVICE RIGHTS.—

"(A) RETENTION OF COMPETITIVE SERVICE RIGHTS.—An individual who—

"(i) was an employee of ACTION or the Commission on National and Community Service who served under a permanent appointment on the day before the date of enactment of this subtitle in—

"(I) a position in the competitive service; or

"(II) a career appointee position in the Senior Executive Service;

"(ii) is transferred to the Corporation under section 202(c) or 203(c) of the National and Community Service Trust Act of 1993; and

"(iii) accepts a position established under paragraph (4) in the Corporation, shall be appointed to a position in the competitive service of the Corporation.

"(B) DURATION OF POSITION IN COMPETITIVE SERVICE.—During the period of employment of such an employee in a position, the position shall be a position in the competitive service. After such period of employment, the position shall be a position in the excepted service unless the President appoints an individual to such position in accordance with the provisions described in subsection (a)(2).

"(C) ESTABLISHMENT OF POSITIONS.—With respect to a position vacancy or a position to be established in the Corporation, the President—

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

"(ii) if the individual to be appointed to the position is an individual described in subparagraph (A), shall establish the position as a position in the competitive service; and

"(iii) if the individual to be so appointed is not an individual described in subparagraph (A)—

"(I) may establish the position as a position in the excepted service; and

"(II) in an exceptional case in which the individual, immediately prior to accepting the position, served under a permanent appointment in a position described in subclause (I) or (II) of subparagraph (A)(i), may establish the position as a position in the competitive service,

in any case in which an individual described in subparagraph (A) is an employee of the Corporation and is eligible to be appointed to such position.

"(D) DEFINITIONS.—As used in this paragraph:

"(i) COMPETITIVE SERVICE.—The term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code.

"(ii) EXCEPTED SERVICE.—The term 'excepted service' has the meaning given the term in section 2103 of title 5, United States Code.

"(iii) SENIOR EXECUTIVE SERVICE.—The term 'Senior Executive Service' has the meaning given the term in section 2101a of title 5, United States Code.

"(b) CORPORATION REPRESENTATIVE IN EACH STATE.—

"(1) DESIGNATION OF REPRESENTATIVE.—The Corporation shall designate 1 employee of the Corporation for each State or group of States to serve as the representative of the Corporation in the State or States and to assist the Corporation in carrying out the activities described in this Act in the State or States.

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

"(A) the Corporation and the State Commission that is established in the State or States;

"(B) the Corporation and any subdivision of a State, Indian tribe, public or private nonprofit organization, or institution of higher education, in the State or States, that is awarded a grant under section 121 directly from the Corporation; and

"(C) the State Commission and the Corporation employee responsible for volunteer service programs in the State, if the employee is not the representative described in paragraph (1) for the State.

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

"(c) CONSULTANTS.—The President may procure the temporary and intermittent services of experts and consultants and compensate the experts and consultants in accordance with section 3109(b) of title 5, United States Code.

"(d) DETAILS OF PERSONNEL.—The head of any Federal department or agency may detail on a reimbursable basis, or on a nonreimbursable basis for not to exceed 180 calendar days during any fiscal year, as agreed upon by the President and the head of the Federal agency, any of the personnel of that department or agency to the Corporation to assist the Corporation in carrying out the duties of the Corporation under this Act. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

"(e) ADVISORY COMMITTEES.—

"(1) ESTABLISHMENT.—The President, acting upon the recommendation of the Board, may establish advisory committees in the Corporation to advise the Board with respect to national service issues, such as the type of programs to be established or assisted under the national service laws, priorities and criteria for such programs, and methods of conducting outreach for, and evaluation of, such programs.

"(2) COMPOSITION.—Such an advisory committee shall be composed of members appointed by the President, with such qualifications as the President may specify.

"(3) EXPENSES.—Members of such an advisory committee may be allowed travel expenses as described in section 192A(d).

"(4) STAFF.—The President is authorized to appoint and fix the compensation of such staff as the President determines to be necessary to carry out the functions of the advisory committee, in accordance with subsection (a)(2), and without regard to the selection and compensation systems described in subsection (a)(4)(B). Such compensation shall not exceed the rate described in subsection (a)(4)(B)(iv)(III).

"SEC. 196. ADMINISTRATION.

"(a) DONATIONS.—

"(1) SERVICES.—

"(A) VOLUNTEERS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the vol-

untary services of individuals to assist the Corporation in carrying out the duties of the Corporation under this Act, and may provide to such individuals the travel expenses described in section 192A(d).

"(B) LIMITATION.—Such a volunteer shall not be considered to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, except that—

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

"(ii) for the purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, volunteers under this subtitle shall be considered to be employees, as defined in section 8101(1)(B) of title 5, United States Code, and the provisions of such subchapter shall apply; and

"(iii) for purposes of the provisions of chapter 11 of part I of title 18, United States Code, such a volunteer (to whom such provisions would not otherwise apply except for this subsection) shall be a special Government employee.

"(C) INHERENTLY GOVERNMENTAL FUNCTION.—

"(i) IN GENERAL.—Such a volunteer shall not carry out an inherently governmental function.

"(ii) REGULATIONS.—The President shall promulgate regulations to carry out this subparagraph.

"(iii) INHERENTLY GOVERNMENTAL FUNCTION.—As used in this subparagraph, the term 'inherently governmental function' means any activity that is so intimately related to the public interest as to mandate performance by an officer or employee of the Federal Government, including an activity that requires either the exercise of discretion in applying the authority of the Government or the use of value judgment in making a decision for the Government.

"(2) PROPERTY.—

"(A) IN GENERAL.—The Corporation may solicit, accept, hold, administer, use, and dispose of, in furtherance of the purposes of this Act, donations of any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise. Donations accepted under this subparagraph shall be used as nearly as possible in accordance with the terms, if any, of such donation.

"(B) TAX.—For purposes of Federal income, estate, and gift taxes, money or property accepted under subparagraph (A) shall be considered to be a gift, devise, or bequest to, or for the use of, the United States.

"(C) RULES.—The President shall establish written rules to ensure that the solicitation, acceptance, holding, administration, and use of property described in subparagraph (A)—

"(i) will not reflect unfavorably upon the ability of the Corporation, or of any officer or employee of the Corporation, to carry out the responsibilities or official duties of the Corporation in a fair and objective manner; and

"(ii) will not compromise the integrity of the programs of the Corporation or any official or employee of the Corporation involved in such programs.

"(D) DISPOSITION.—Upon completion of the use by the Corporation of any property accepted pursuant to subparagraph (A) (other than money or monetary proceeds from sales of property so accepted), such completion shall be reported to the General Services Administration and such property shall be disposed of in accordance with title II of the

Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.).

"(3) VOLUNTEER.—As used in this subsection, the term 'volunteer' does not include a participant.

"(b) CONTRACTS.—Subject to the Federal Property and Administrative Services Act of 1949, the Corporation may enter into contracts, and cooperative and interagency agreements, with Federal and State agencies, private firms, institutions, and individuals to conduct activities necessary to assist the Corporation in carrying out the duties of the Corporation under this Act.

"(c) OFFICE OF MANAGEMENT AND BUDGET.—Appropriate circulars of the Office of Management and Budget shall apply to the Corporation."

(b) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—Section 401 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5041) is amended by inserting after the second sentence the following: "The Director shall report directly to the President of the Corporation for National and Community Service."

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

(1) DEFINITIONS.—For purposes of this subsection, unless otherwise provided or indicated by the context, each term specified in section 203(c)(1) shall have the meaning given the term in such section.

(2) TRANSFER OF FUNCTIONS.—There are transferred to the Corporation the functions that the Board of Directors or Executive Director of the Commission on National and Community Service exercised before the effective date of this subsection (including all related functions of any officer or employee of the Commission).

(3) APPLICATION.—The provisions of paragraphs (3) through (10) of section 203(c) shall apply with respect to the transfer described in paragraph (2), except that—

(A) for purposes of such application, references to the term "ACTION Agency" shall be deemed to be references to the Commission on National and Community Service; and

(B) paragraph (10) of such section shall not preclude the transfer of the members of the Board of Directors of the Commission to the Corporation if, on the effective date of this subsection, the Board of Directors of the Corporation has not been confirmed.

(d) CONTINUING PERFORMANCE OF CERTAIN FUNCTIONS.—The individuals who, on the day before the date of enactment of this Act, are performing any of the functions required by section 190 of the National and Community Service Act of 1990 (42 U.S.C. 12651), as in effect on such date, to be performed by the members of the Board of Directors of the Commission on National and Community Service may, subject to section 193A of the National and Community Service Act of 1990, as added by subsection (a) of this section, continue to perform such functions until the date on the Board of Directors of the Corporation for National and Community Service conducts the first meeting of the Board. The service of such individuals as members of the Board of Directors of such Commission, and the employment of such individuals as special government employees, shall terminate on such date.

(e) JOB SEARCH ASSISTANCE.—The President of the Corporation shall establish a program to provide, or shall seek to enter into a memorandum of understanding with the Director of the Office of Personnel Management to provide, job search and related assistance to employees of the ACTION agency who are not transferred to the Corporation for National and Community Service under section 203(c). The President of the Corporation shall make available funds appropriated under section 501(a)(4) of the National and

Community Service Act of 1990 in order to provide such assistance.

(f) GOVERNMENT CORPORATION CONTROL.—

(1) WHOLLY OWNED GOVERNMENT CORPORATION.—Section 9101(3) of title 31, United States Code, is amended by inserting after subparagraph (D) the following:

"(E) the Corporation for National and Community Service."

(2) AUDITS.—Section 9105(a)(1) of title 31, United States Code, is amended by inserting "or under other Federal law," before "or by an independent".

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

"(5)(A) Under such regulations as the Administrator may prescribe, the Administrator is authorized, in the discretion of the Administrator, to assign to the President of the Corporation for National and Community Service for disposal such surplus property as is recommended by the President as being needed for national service activities.

"(B) Subject to the disapproval of the Administrator, within 30 days after notice to the Administrator by the President of the Corporation for National and Community Service of a proposed transfer of property for such activities, the President, through such officers or employees of the Corporation as the President may designate, may sell, lease, or donate such property to any entity that receives financial assistance under the National and Community Service Act of 1990 for such activities.

"(C) In fixing the sale or lease value of such property, the President of the Corporation for National and Community Service shall comply with the requirements of paragraph (1)(C)."

(h) INSPECTOR GENERAL.—

(1) SPECIAL PROVISIONS IN INSPECTOR GENERAL ACT OF 1978.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended by redesignating sections 8E and 8F as sections 8F and 8G, respectively, and inserting after section 8D the following new section:

"SPECIAL PROVISIONS CONCERNING THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

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

"(1) appoint and determine the compensation of such officers and employees in accordance with section 195(a)(4) of the National and Community Service Trust Act of 1993; and

"(2) procure the temporary and intermittent services of and compensate such experts and consultants, in accordance with section 3109(b) of title 5, United States Code, as may be necessary to carry out the functions, powers, and duties of the Inspector General.

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

"(c) No later than the date on which the President of the Corporation for National and Community Service transmits a report described under section 5(b) to the Board of Directors as provided under subsection (b) of this section, the President shall also transmit any audit report which is described in the statement required under section 5(b)(4) to the Board of Directors. All such audit reports shall be placed on the agenda for review at the next scheduled meeting of the

Board of Directors following such transmittal. The President of the Corporation shall be present at such meeting to provide any information relating to such audit reports.

"(d) No later than the date on which the Inspector General of the Corporation for National and Community Service reports a problem, abuse, or deficiency under section 5(d) to the President of the Corporation, the President shall report such problem, abuse, or deficiency to the Board of Directors."

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

(A) IN GENERAL.—Section 8F(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) (as redesignated by paragraph (1) of this subsection) is amended by striking out "ACTION."

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

(3) TRANSFER.—

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

(i) in subparagraph (T), by striking out "and" at the end thereof; and

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

"(V) of the Corporation for National and Community Service, the Office of Inspector General of ACTION; and"

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

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

(A) in paragraph (1) by inserting "the President of the Corporation for National and Community Service;" after "Thrift Depositor Protection Oversight Board"; and

(B) in paragraph (2) by inserting "the Corporation for National and Community Service," after "United States Information Agency."

(5) TECHNICAL AND CONFORMING AMENDMENTS TO THE INSPECTOR GENERAL ACT OF 1978.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in section 4(b)(2)—

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

(ii) by striking out "section 8E(a)(1)" and inserting in lieu thereof "section 8F(a)(1)"; and

(iii) by striking out "section 8E(a)(2)." and inserting in lieu thereof "section 8F(a)(2)."; and

(B) section 8G (as redesignated by paragraph (1) of this subsection)—

(i) by striking out "or 8D" and inserting in lieu thereof "8D, or 8E"; and

(ii) by striking out "section 8E(a)" and inserting in lieu thereof "section 8F(a)".

(6) POSTAL SERVICE TECHNICAL AND CONFORMING AMENDMENTS.—Section 410(b) of title 39, United States Code, is amended—

(A) in paragraph (8) by striking out "and" after the semicolon;

(B) in the first paragraph (9) by striking out the period and inserting in lieu thereof a semicolon and "and"; and

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

"(10) the provisions of section 8F of the Inspector General Act of 1978."

(1) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-510; 104 Stat. 3127) is amended by striking the items relating to subtitle G of title I of such Act and inserting the following:

"Subtitle G—Corporation for National and Community Service

"Sec. 191. Corporation for National and Community Service.

"Sec. 192. Board of Directors.

"Sec. 192A. Authorities and duties of the Board of Directors.

"Sec. 193. President.

"Sec. 193A. Authorities and duties of the President.

"Sec. 194. Officers.

"Sec. 195. Employees, consultants, and other personnel.

"Sec. 196. Administration."

(1) EFFECTIVE DATES.—

(i) IN GENERAL.—Except as provided in paragraph (2) or subsection (h)(2) or (3), the amendments made by this section shall take effect on October 1, 1993.

(2) ESTABLISHMENT AND APPOINTMENT AUTHORITIES.—Sections 191, 192, and 193 of the National and Community Service Act of 1990, as added by subsection (a), shall take effect on the date of enactment of this Act.

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

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

(1) APPLICATION.—

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

(B) CORPORATION.—Subtitle I of the National and Community Service Act of 1990 (as amended by section 202 of this Act) is amended in section 191, section 192A(g)(5), section 193(c), subsections (b) (other than paragraph (10)), (c) (other than paragraph (8)), and (d) of section 193A, subsections (b) and (d) of section 195, and subsections (a) and (b) of section 196, by striking "this Act" each place the term appears and inserting "the national service laws".

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

(A) by striking "and" at the end of paragraph (8);

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

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

"(9) notwithstanding any other provision of law, make grants to or contracts with Federal or other public departments or agencies and private nonprofit organizations for the assignment or referral of volunteers under the provisions of the Domestic Volunteer Service Act of 1973 (except as provided in section 108 of the Domestic Volunteer Service Act of 1973), which may provide that the agency or organization shall pay all or a part of the costs of the program; and"

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

"(f) RECRUITMENT AND PUBLIC AWARENESS FUNCTIONS.—

"(1) EFFORT.—The President shall ensure that the Corporation, in carrying out the recruiting and public awareness functions of the Corporation, shall expend at least the level of effort on recruitment and public awareness activities related to the programs referred to in section 194(a)(3)(A) as ACTION expended on recruitment and public awareness activities related to programs under the Domestic Volunteer Service Act of 1973 during fiscal year 1993.

"(2) PERSONNEL.—The President shall assign or hire, as necessary, such additional

national, regional, and State personnel to carry out such recruiting and public awareness functions as may be necessary to ensure that such functions are carried out in a timely and effective manner. The President shall give priority in the hiring of such additional personnel to individuals who have formerly served as volunteers in the programs referred to in section 194(a)(3)(A), or similar programs, and to individual who have specialized experience in the recruitment of volunteers.

"(3) FUNDS.—For the first fiscal year after the effective date of this subsection, and for each fiscal year thereafter, for the purpose of carrying out such recruiting and public awareness functions, the President shall obligate not less than 1.5 percent of the amounts appropriated for the fiscal year under section 501(a) of the Domestic Volunteer Service Act of 1973."

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

"(d) ASSISTANT DIRECTORS.—

"(1) IN GENERAL.—There shall be in the Corporation four Assistant Directors, each of whom shall be appointed by the President, and who shall report directly to the Managing Director described in subsection (a)(3)(A).

"(2) DUTIES.—

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

"(B) RETIRED AND SENIOR VOLUNTEER PROGRAMS.—One of the Assistant Directors shall be primarily responsible for the Retired and Senior Volunteer Program established under part A of title II of such Act.

"(C) FOSTER GRANDPARENT PROGRAM.—One of the Assistant Directors shall be primarily responsible for the Foster Grandparent Program established under part B of title II of such Act.

"(D) SENIOR COMPANION PROGRAM.—One of the Assistant Directors shall be primarily responsible for the Senior Companion Program established under part C of title II of such Act."

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

(c) TRANSFER OF FUNCTIONS FROM ACTION AGENCY.—

(1) DEFINITIONS.—For purposes of this subsection, unless otherwise provided or indicated by the context—

(A) the term "Corporation" means the Corporation for National and Community Service, established under section 191 of the National and Community Service Act of 1990;

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

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

(D) the term "office" includes any office, administration, agency, institute, unit, organizational entity, or component thereof; and

(E) the term "President", except as used as part of the term "President of the United States", means the President of the Corporation.

(2) TRANSFER OF FUNCTIONS.—There are transferred to the Corporation such functions as the President of the United States determines to be appropriate that the Director of the ACTION Agency exercised before the effective date of this subsection (including all related functions of any officer or employee of the ACTION Agency).

(3) DETERMINATIONS OF CERTAIN FUNCTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—The President of the United States may delegate to the Director of the Office of Management and Budget the authority to make any determination of the functions that are transferred under paragraph (2), if the President determines that such a delegation would be appropriate.

(4) REORGANIZATION.—The President is authorized to allocate or reallocate any function transferred under paragraph (2) among the officers of the Corporation, after providing notice of the allocation or reallocation to Congress.

(5) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.—Except as otherwise provided in this subsection, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred by this subsection, subject to section 1531 of title 31, United States Code, shall be transferred to the Corporation. Unexpended funds transferred pursuant to this paragraph shall be used only for the purposes for which the funds were originally authorized and appropriated.

(6) INCIDENTAL TRANSFER.—The Director of the Office of Management and Budget is authorized to make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this subsection. The Director of the Office of Management and Budget shall provide for the termination of the affairs of all entities terminated by this subsection and for such further measures and dispositions as may be necessary to effectuate the purposes of this subsection.

(7) EFFECT ON PERSONNEL.—

(A) IN GENERAL.—Except as otherwise provided by this subsection, the transfer pursuant to this subsection of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation, or to have the benefits of the employee reduced, for 1 year after the date of transfer of such employee under this subsection.

(B) EXECUTIVE SCHEDULE POSITIONS.—Except as otherwise provided in this subsection, any person who, on the day preceding the effective date of this subsection, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Corporation to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.

(C) TERMINATION OF CERTAIN POSITIONS.—Positions whose incumbents are appointed by the President of the United States, by and with the advice and consent of the Senate, the functions of which are transferred by this subsection, shall terminate on the effective date of this subsection.

(8) SAVINGS PROVISIONS.—

(A) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, agreements, grants,

contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(1) that have been issued, made, granted, or allowed to become effective by the President of the United States, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions that are transferred under this subsection; and

(2) that are in effect at the time this subsection takes effect, or were final before the effective date of this subsection and are to become effective on or after the effective date of this subsection,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President of the United States, the President of the Corporation, or other authorized official, a court of competent jurisdiction, or by operation of law.

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

(C) SUITS NOT AFFECTED.—The provisions of this subsection shall not affect suits commenced before the effective date of this subsection, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this subsection had not been enacted.

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

(E) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the ACTION Agency relating to a function transferred under this subsection may be continued by the Corporation with the same effect as if this subsection had not been enacted.

(9) SEVERABILITY.—If a provision of this subsection or its application to any person or circumstance is held invalid, neither the remainder of this subsection nor the application of the provision to other persons or circumstances shall be affected.

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

(A) the services of such officers, employees, and other personnel of the ACTION Agency with respect to functions that will be or have been transferred to the Corporation by this subsection; and

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

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

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

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

(e) APPOINTMENT OF ACTION EMPLOYEES.—During the period beginning on October 1, 1993 and ending on the effective date of subsection (c)(2), in making appointments to the Corporation under the appointment system described in section 195(a)(4)(B)(iii) of the National and Community Service Act of 1990, the President of the Corporation for National and Community Service shall ensure that individuals who are employees of ACTION shall receive fair and equitable treatment.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section, and the amendments made by this section, shall take effect—

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

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

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

SEC. 204. BUSINESS PLAN.

(a) BUSINESS PLAN REQUIRED.—

(1) IN GENERAL.—The Corporation for National and Community Service (referred to in this section as the "Corporation") shall prepare and submit to Congress a business plan. The Corporation may not provide assistance under section 121 of the National and Community Service Act of 1990 before the twentieth day of continuous session of Congress after the date on which the Corporation submits the business plan to Congress.

(2) COMPUTATION.—For purposes of the computation of the 20-day period referred to in paragraph (1), continuity of a session of the Congress shall be considered to be broken only by—

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

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

(b) REQUIRED ELEMENTS OF BUSINESS PLAN.—

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

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

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

(C) information that indicates how accountability for such funds can be determined, in terms of the office or officer responsible for such funds.

(2) INVESTIGATIVE AND AUDIT FUNCTIONS.—The business plan shall include a description of the plans of the Corporation—

(A) to ensure continuity, during the transition period, and after the transition period, in the investigative and audit functions carried out by the Inspector General of ACTION prior to such period, consistent with the Inspector General Act of 1978 (5 U.S.C. App.); and

National Service gives due consideration to the need to provide such training for national service programs and their participants.

Mr. FORD of Michigan. Mr. Chairman, we have examined the amendment of the gentleman from Illinois [Mr. PORTER] on this side and are prepared to accept it. We think it is helpful to and consistent with the bill. That is the basis upon which I am willing to accept it.

Mr. PORTER. Mr. Chairman, I thank the gentleman from Michigan [Mr. FORD] for accepting this amendment. I think it is a good amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. PORTER].

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. PORTER

Mr. PORTER. Mr. Chairman, I offer amendments Nos. 1 and 2 and ask unanimous consent that they be considered en bloc.

Mr. BRYANT. Mr. Chairman, I reserve a point of order against the amendments.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. PORTER: Page 30, after line 6, add the following:

"(5) EFFECT OF STATE FAILURE TO LIMIT LIABILITY.—If, not later than 2 years after the effective date of this subtitle, a State fails to have in effect (and to certify in its application that the State has in effect) a limitation on liability that satisfies the requirements of title V of the National Service Trust Act of 1993, the allotment for such State shall be reduced by 5 percent, and the Corporation shall allot the amount of the reduction among the States that have in effect (and so certify) such limitation.

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE V—LIMITATION ON LIABILITY OF VOLUNTEERS

SEC. 501. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds and declares that—

(1) within certain States, the willingness of volunteers to offer their services has been increasingly deterred by a perception that they thereby put personal assets at risk in the event of liability actions against the organization they serve;

(2) as a result of this perception, many nonprofit public and private organizations and governmental entities, including voluntary associations, social service agencies, educational institutions, local governments, foundations, and other civic programs, have been adversely affected through the withdrawal of volunteers from boards of directors and service in other capacities;

(3) the contribution of these programs to their communities is thereby diminished, resulting in fewer and higher cost programs than would be obtainable if volunteers were participating;

(4) the efforts of nonprofit organizations, local government, States, and the Federal Government to promote voluntarism, and community and national service, are adversely affected by the withdrawal of volunteers from boards of directors and service in other capacities; and

(5) because Federal funds are expended on useful and cost-effective social service programs which depend heavily on volunteer

participation, protection of voluntarism through clarification and limitation of the personal liability risks assumed by the volunteer in connection with such participation is an appropriate subject for Federal encouragement of State reform.

(b) PURPOSE.—The purposes of this title are to promote programs of community and national service, to promote the interests of social service program beneficiaries and taxpayers, and to sustain the availability of programs and nonprofit organizations and governmental entities which depend on volunteer contributions, by encouraging reasonable reform of laws to provide protection from personal financial liability to volunteers serving with nonprofit organizations and governmental entities for actions undertaken in good faith on behalf of such organizations.

SEC. 502. NO PREEMPTION OF STATE TORT LAW.

Nothing in this title shall be construed to preempt the laws of any State governing tort liability actions.

SEC. 503. LIMITATION ON LIABILITY FOR VOLUNTEERS.

(a) LIABILITY PROTECTION FOR VOLUNTEERS.—For purposes of satisfying the requirement specified in section 129(a)(5) of the national and Community Service Act of 1990, and except as provided in subsections (b), (c), and (d), a State shall provide by law that any volunteer of a nonprofit organization or governmental entity shall incur no personal financial liability for any tort claim alleging damage or injury from any act or omission of the volunteer on behalf of the organization or entity if—

(1) such individual was acting in good faith and within the scope of such individual's official functions and duties with the organization or entity and such functions and duties are directly connected to the administration of a program described in section 122(a); and

(2) such damage or injury was not caused by willful and wanton misconduct by such individual.

(b) CONCERNING RESPONSIBILITY OF VOLUNTEERS WITH RESPECT TO ORGANIZATIONS.—Nothing in this section shall be construed to affect any civil action brought by any nonprofit organization or any governmental entity against any volunteer of such organization or entity.

(c) NO EFFECT ON LIABILITY OF ORGANIZATION.—Nothing in this section shall be construed to affect the liability of any nonprofit organization or governmental entity with respect to injury caused to any person.

(d) EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.—A State may impose one or more of the following conditions on and exceptions to the granting of liability protection to any volunteer of an organization or entity required by subsection (a):

(1) The organization or entity must adhere to risk management procedures, including mandatory training of volunteers.

(2) The organization or entity shall be liable for the acts or omissions of its volunteers to the same extent as an employer is liable, under the laws of the State, for the acts or omissions of its employees.

(3) The protection from liability does not apply if the volunteer was operating a motor vehicle or was operating a vessel, aircraft, or other vehicle for which a pilot's license is required.

(4) The protection from liability does not apply in the case of a suit brought by an appropriate officer of a State or local government to enforce a Federal, State, or local law.

(5) The protection from liability shall apply only if the organizations or entity provides a financially secure source of recovery for individuals who suffer injury as a result

of actions taken by a volunteer on behalf of the organization or entity. A financially secure source of recovery may be an insurance policy within specified limits, comparable coverage from a risk pooling mechanism, equivalent assets, or alternative arrangements that satisfy the State that the entity will be able to pay for losses up to a specified amount. Separate standards for different types of liability exposure may be specified.

SEC. 504. DEFINITIONS.

For purposes of this title—

(1) the term "volunteer" means an individual performing services for a nonprofit organization or a governmental entity who does not receive compensation, or any other thing of value in lieu of compensation, for such services (other than reimbursement for expenses actually incurred or honoraria not to exceed \$300 per year for government service), and such term includes a volunteer serving as a director, officer, trustee, or direct service volunteer;

(2) the term "nonprofit organization" means any organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(3) the term "damage or injury" includes physical, nonphysical, economic, and non-economic damage; and

(4) the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

Mr. PORTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read the printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. Is there objection to the original request of the gentleman from Illinois [Mr. PORTER]?

There was no objection.

Mr. BRYANT. Mr. Chairman, I would like to raise a point of order against consideration of the amendments.

The CHAIRMAN. Does the gentleman reserve a point of order, or does the gentleman raise a point of order?

Mr. BRYANT. Mr. Chairman, I raise a point of order.

PARLIAMENTARY INQUIRY

Mr. BRYANT. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BRYANT. Mr. Chairman, has the gentleman from Illinois [Mr. PORTER] simply asked that these amendments be considered en bloc, or is the gentleman raising the amendments? My purpose is to raise a point of order against the offering of the amendments.

The CHAIRMAN. The gentleman's point of order will be protected. The amendments are being considered en bloc.

Mr. PORTER. Mr. Chairman, the gentleman from Texas [Mr. BRYANT] can reserve a point of order. I can speak to the amendments, and then the gentleman can raise the point of order, is that correct?

The CHAIRMAN. Does the gentleman from Texas [Mr. BRYANT] wish to be heard further on the point of order?

Mr. BRYANT. Mr. Chairman, I would further urge that the gentleman from Illinois [Mr. PORTER] is attempting to apply this immunity amendment of his to all volunteers for any volunteer organization that happens to meet the 501(a) or 501(c) provisions of the Internal Revenue Code.

The bill before us related to national service. What we are discussing here is national service participation.

The gentleman from Illinois [Mr. PORTER] offers an amendment, as I am sure he will after this, that relates to immunity as it affects those that are participating in national service. I expect that that amendment would be germane.

This amendment goes far beyond that and is, in effect, an attempt to add to this bill legislation which is totally unrelated to national service that the gentleman from Illinois [Mr. PORTER] has offered in the past.

It is not germane, and I urge the Chair to sustain the point of order.

The CHAIRMAN. The gentleman from Texas [Mr. BRYANT] makes the point of order that the amendment offered by the gentleman from Illinois [Mr. PORTER] is not germane to the bill.

The bill addresses national service in a variety of programs. The amendment offered by the gentleman from Illinois would condition a portion of the Federal funding to States for such programs on the enactment of State laws to protect persons who render volunteer services from certain legal liabilities. The amendment does not, however, confine itself to the programs addressed by the bill or the volunteers whose services are covered by the bill. Rather, the amendment seeks to protect all volunteers in nonprofit or public programs, generally.

As noted in section 798f of the House Rules and Manual, a bill on a specific subject may not be amended by a provision general in nature, even when of the class of the specific subject. Thus where a bill is confined to a certain range of activity, an amendment dealing with a broader range of that kind of activity is not germane. For example, to a bill addressing corporations engaged in interstate commerce, an amendment addressing all corporations has been held not germane.

Accordingly, the point of order is sustained.

AMENDMENTS OFFERED BY MR. PORTER

Mr. PORTER. Mr. Chairman, I offer amendments Nos. I and 3.

The Clerk read as follows:

Amendments offered by Mr. PORTER: Page 30, after line 6, add the following:

"(5) EFFECT OF STATE FAILURE TO LIMIT LIABILITY.—If, not later than 2 years after the effective date of this subtitle, a State fails to have in effect (and to certify in its application that the State has in effect) a limitation on liability that satisfies the requirements of title V of the National Service Trust Act of 1993, the allotment for such

State shall be reduced by 5 percent, and the Corporation shall allot the amount of the reduction among the States that have in effect (and so certify) such limitation.

At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE V—LIMITATION ON LIABILITY OF VOLUNTEERS

SEC. 501. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds and declares that—

(1) within certain States, the willingness of volunteers to offer their services has been increasingly deterred by a perception that they thereby put personal assets at risk in the event of liability actions against the organization they serve;

(2) as a result of this perception, many non-profit public and private organizations and governmental entities, including voluntary associations, social service agencies, educational institutions, local governments, foundations, and other civic programs, have been adversely affected through the withdrawal of volunteers from boards of directors and service in other capacities;

(3) the contribution of these programs to their communities is thereby diminished, resulting in fewer and higher cost programs than would be obtainable if volunteers were participating;

(4) the efforts of nonprofit organizations, local government, States, and the Federal Government to promote voluntarism, and community and national service, are adversely affected by the withdrawal of volunteers from boards of directors and service in other capacities; and

(5) because Federal funds are expended on useful and cost-effective social service programs which depend heavily on volunteer participation, protection of voluntarism through clarification and limitation of the personal liability risks assumed by the volunteer in connection with such participation is an appropriate subject for Federal encouragement of State reform.

(b) PURPOSE.—The purposes of this title are to promote programs of community and national service, to promote the interests of social service program beneficiaries and taxpayers, and to sustain the availability of programs and nonprofit organizations and governmental entities which depend on volunteer contributions, by encouraging reasonable reform of laws to provide protection from personal financial liability to volunteers serving with non-profit organizations and governmental entities for actions undertaken in good faith on behalf of such organizations.

SEC. 502. NO PREEMPTION OF STATE TORT LAW.

Nothing in this title shall be construed to preempt the laws of any State governing tort liability actions.

SEC. 503. LIMITATION ON LIABILITY FOR VOLUNTEERS.

(a) LIABILITY PROTECTION FOR VOLUNTEERS.—For purposes of satisfying the requirement specified in section 129(a)(5) of the National and Community Service Act of 1990, and except as provided in subsections (b), (c), and (d), a State shall provide by law that any volunteer of a nonprofit organization or governmental entity shall incur no personal financial liability for any tort claim alleging damage or injury from any act or omission of the volunteer on behalf of the organization or entity if—

(1) such individual was acting in good faith and within the scope of such individual's official functions and duties with the organization or entity; and

(2) such damage or injury was not caused by willful and wanton misconduct by such individual.

(b) CONCERNING RESPONSIBILITY OF VOLUNTEERS WITH RESPECT TO ORGANIZATIONS.—Nothing in this section shall be construed to affect any civil action brought by any nonprofit organization or any governmental entity against any volunteer of such organization or entity.

(c) NO EFFECT ON LIABILITY OF ORGANIZATION.—Nothing in this section shall be construed to affect the liability of any nonprofit organization or government entity with respect to injury caused to any person.

(d) EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.—A State may impose one or more of the following conditions on and exceptions to the granting of liability protection to any volunteer of an organization or entity required by subsection (a):

(1) The organization or entity must adhere to risk management procedures, including mandatory training of volunteers.

(2) The organization or entity shall be liable for the acts or omissions of its volunteers to the same extent as an employer is liable, under the laws of that State, for the acts or omissions of its employees.

(3) The protection from liability does not apply if the volunteer was operating a motor vehicle or was operating a vessel, aircraft, or other vehicle for which a pilot's license is required.

(4) The protection from liability does not apply in the case of a suit brought by an appropriate officer of a State or local government to enforce a Federal, State, or local law.

(5) The protection from liability shall apply only if the organization or entity provides a financially secure source of recovery for individuals who suffer injury as a result of actions taken by a volunteer on behalf of the organization or entity. A financially secure source of recovery may be an insurance policy within specified limits, comparable coverage from a risk pooling mechanism, equivalent assets, or alternative arrangements that satisfy the State that the entity will be able to pay for losses up to a specified amount. Separate standards for different types of liability exposure may be specified.

SEC. 504. DEFINITIONS.

For purposes of this title—

(1) the term "volunteer" means an individual performing services for a nonprofit organization or a governmental entity who does not receive compensation, or any other thing of value in lieu of compensation, for such services (other than reimbursement for expenses actually incurred or honoraria not to exceed \$300 per year for government service), and such term includes a volunteer serving as a director, officer, trustee, or direct service volunteer;

(2) the term "nonprofit organization" means any organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(3) the term "damage or injury" includes physical, nonphysical, economic, and non-economic damage; and

(4) the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory or possession.

PARLIAMENTARY INQUIRY

Mr. FORD of Michigan. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FORD of Michigan. Mr. Chairman, I thought that the gentleman

program supervisors who have a stake in their success. Program participation will also expose individuals to a variety of new experiences and may generate an awareness or interest in a particular field which a volunteer may choose to pursue.

And most important, serving in our neighborhoods and in our cities will foster the development of values such as hard work, sacrifice, and the importance of human life, while instilling a positive sense of community.

National and community service will not be the panacea that solves all our social problems. However, if this program positively redirects the lives of just a portion of its participants—by all standards we will have created a success.

National and community service is one of those investments which will yield both immediate and future economic and social benefits, not to mention the savings in future expenditures on social welfare and law enforcement programs.

As chairman of the older Americans caucus, I am particularly pleased that the National Service Trust Act will utilize the knowledge and experience of our older Americans. This act combines ACTION, which houses VISTA and older American volunteer programs, such as retired senior volunteers program [RSVP] and foster grandparents, with the Commission on National and Community Service.

As our elderly population continues to grow, it is important that we focus on programs which enable older Americans to be active and productive members of our communities.

The National Service Trust Act of 1993 expands the opportunity to pursue higher education, provides assistance for underfunded and understaffed public service programs, and presents an opportunity to improve the job skills and ensure the competitiveness of future generations.

The National Service Trust Act of 1993 is a win-win proposal. I strongly urge my colleagues to take decisive action today for America's future and support this important initiative.

Mr. HOAGLAND. Mr. Chairman, I rise today to express my support for the administration's National Service Corps proposal. These are troubled times, a time for change. On the education front, crime in the schools seems to be increasing, college tuitions are rising, and our families seem to be fragmenting from our traditional sense of national commitment and community. President Clinton's program proposals here address some of these problems.

As a Nation, we need to join together to invest in our future. The National Service Trust Act of 1993 does that. It would encourage Americans of all ages and from all walks of life to complete college education and subsequently to work to improve our country—in schools, forests, hospitals, and innercities. The stipend and health benefits proposed would make it possible for those from middle-class families, who would otherwise be unable to afford to work without pay, to contribute. That the program is not means-determined permits all to participate. Students from all over America will go to school together and work together. These experiences will bind us together in a growing community. We will be a Nation united, not divided. Together we will all work for and invest in our Nation's future and in our individual futures.

It has been said that this program resembles entitlements. This is an unfair characterization. Do we begrudge our veterans the education vouchers they receive at the end of their tours of duty? No. We're proud of their achievements and their desire to continue to learn. Nor should we begrudge the domestic participants in this new program their benefits. They will have earned what they are given.

This program encourages personal responsibility. The men, women, and youth who participate will learn skills and build the strength of character that will make them more productive, more responsible citizens. They will work hard—and it is the hard-work ethic upon which this Nation has depended through the years. They will work hard to improve not only themselves, but also to improve America. They will benefit, and so will the Nation.

Of course, this program should not replace needs-based college financial aid. Those programs are vitally important. The financial credit that the National Service Trust Act would grant is not the primary focus of the bill. This is a service bill, first and foremost. However, the reward would give many Americans the opportunity to learn, while supplying America with an educated and skilled work force, without which we will not be able to compete in tomorrow's international marketplace. It is a way for men and women to receive the aid they need to educate themselves. They will have earned all that they were given, for with their work, they will have given even more back to us.

And as I have said before, Mr. Chairman, investing in our country's future also means that we need to do something to stop the increasingly violent crime our citizens are subjected to. We need to pass crime legislation to give our communities the tools and resources to make our streets safe again.

The National Service program encourages Americans to work together so that our Nation will continue to be strong and successful. Please vote in favor of the National Service Trust Act, an important proposal to improve America's future.

Mr. PORTMAN. Mr. Chairman, today we resume consideration of H.R. 2010, the National Service Trust Act of 1993.

This bill provides participants in the National Service program a minimum-wage stipend, health and childcare benefits, and up to \$10,000 in education assistance for 2 years of community service.

I strongly support the concept of community service. Voluntary service to our Nation and communities is a noble tradition as old as our Republic. I am deeply troubled, however, with the creation of yet another large Federal program, costing an estimated \$2.8 billion over 5 years, while we are in the midst of a monumental struggle to get control of our massive Federal debt. The benefits created by this program come at a great cost to the beneficiaries and their children—an ever-growing national debt that mortgages their future. I also question why such a program is necessary when the Federal Government is already funding at least 24 existing service programs spread throughout six Federal agencies at a cost of \$1.2 billion each year. We have to do more to encourage service to our country, but not by creating yet another Federal program.

Furthermore, student aid programs now in place are already suffering financially. Pell grants, for example, help millions of students who have legitimate financial needs pursue a

higher education. The Pell Grant Program was cut in 1992 and faces further reductions this year. At the same time, the proposed National Service Program would aid all students, regardless of their need, forcing Pell grants and other proven student aid programs to compete for scarcer Federal resources.

Last week our colleague, SUSAN MOLINARI, offered an amendment to delay financing for the National Service Act until certain funding levels for other student aid programs had been met. Regrettably, this attempt to protect the Pell grants and other worthwhile student aid programs was defeated, an action which I feel makes enactment of H.R. 2010 even less desirable.

Mr. Chairman, I have to vote "no" on the National Service Trust Act. It is costly, unnecessary and, as crafted, will ultimately not be a service to the American taxpayer.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. McNULTY) having assumed the chair, Mr. FIELDS of Louisiana, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 2010) To amend the National and Community Service Act of 1990 to establish a Corporation for National Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and for other purposes, pursuant to House Resolution 217, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole?

Mr. WALKER. Mr. Speaker, I demand a separate vote on the so-called Stump amendment, the so-called Solomon amendment, and the so-called Porter amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment?

If not, the Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: page 79, strike lines 18 through 23 and insert the following:

"(a) AMOUNTS GENERALLY.—Except as provided in subsection (b), an individual described in section 146(a) who successfully completes a required term of service in an approved national service position shall receive a national service educational award having a value, for each of not more than 2 of such terms of service, equal to 90 percent of—

"(1) one-half of the aggregate minimum basic educational assistance allowance calculated under sections 3013(d)(1) and 3015(b)(1) of title 28, United States Code (as in effect on July 28, 1993), for a member of the Armed Forces who is entitled to such an allowance under section 3011 of such title and whose initial obligated period of active duty is two years; less

"(2) one-half of the aggregate basic contribution required to be made by the member under section 3011(b) of such title (as in effect on July 28, 1993).

Mr. WALKER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes recorded votes on the other amendments, if ordered.

The vote was taken by electronic device, and there were—ayes 419, noes 6, not voting 9, as follows:

(Roll No. 376)

AYES—419

Ackerman	Burton	Dooley
Allard	Buyer	Doolittle
Andrews (ME)	Byrne	Dorman
Andrews (NJ)	Callahan	Dreier
Andrews (TX)	Calvert	Duncan
Applegate	Camp	Dunn
Archer	Canady	Durbin
Armey	Cantwell	Edwards (CA)
Bacchus (FL)	Cardin	Edwards (TX)
Bacchus (AL)	Castle	Emerson
Baesler	Chapman	Engel
Baker (CA)	Clay	English (AZ)
Baker (LA)	Clayton	English (OK)
Ballester	Clement	Eshoo
Barca	Clinger	Evans
Barcia	Clyburn	Everett
Barlow	Coble	Ewing
Barrett (NE)	Coleman	Farr
Barrett (WI)	Collins (GA)	Fawell
Bartlett	Collins (IL)	Fazio
Barton	Collins (MI)	Fields (LA)
Bateman	Combest	Fields (TX)
Beerra	Condit	Filmer
Bellenson	Conyers	Fingerhut
Bentley	Cooper	Flah
Bereuter	Coppersmith	Flake
Berman	Costello	Foglietta
Bevill	Cox	Ford (MI)
Bilbray	Coyne	Ford (TN)
Bilirakis	Cramer	Fowler
Bishop	Crane	Frank (MA)
Blackwell	Crapo	Franks (CT)
Bliley	Cunningham	Franks (NJ)
Blute	Danner	Frost
Boehlert	Darden	Furse
Boehner	Deal	Gallely
Bonilla	DeFazio	Gallo
Bonior	DeLauro	Gejdenson
Borawski	DeLay	Gekas
Boucher	Dellums	Gephardt
Brewster	Derrick	Geren
Brooks	Deutsch	Gibbons
Browder	Dias-Balart	Glickrest
Brown (FL)	Dickey	Gillmor
Brown (OH)	Dicks	Glimm
Bryant	Dingell	Gingrich
Bunning	Dixon	Glickman

Gonzales	Mann	Roybal-Allard
Goodlatte	Manton	Royce
Goodling	Manzullo	Rush
Gordon	Margolies	Sabo
Goss	Mezvinisky	Sangmeister
Grams	Markley	Santorum
Grandy	Martinez	Sarpalius
Green	Matsui	Sawyer
Greenwood	Mazloui	Saxton
Gunderson	McCauley	Schaefer
Gutierrez	McCloskey	Schenk
Hall (OH)	McCollum	Schiff
Hall (TX)	McCrery	Schroeder
Hamburg	McCurdy	Schumer
Hamilton	McDermott	Scott
Hancock	McHugh	Sensenbrenner
Hansen	McInnis	Serrano
Hastert	McKeon	Sharp
Hastings	McKinney	Shaw
Hayes	McMillan	Shays
Hefley	McNulty	Shepherd
Hefner	Meehan	Shuster
Herger	Meek	Sisk
Hilliard	Menendez	Skaggs
Hinchee	Meyers	Skeen
Hoagland	Mica	Skelton
Hobson	Michel	Slattery
Hochbrueckner	Miller (CA)	Slaughter
Hoekstra	Miller (FL)	Smith (IA)
Hoke	Mineta	Smith (MI)
Holden	Minge	Smith (NJ)
Horn	Molinar	Smith (OR)
Houghton	Mollohan	Smith (TX)
Hoyer	Montgomery	Snowe
Huffington	Moorhead	Solomon
Hughes	Moran	Spence
Hunter	Morella	Spratt
Hutchinson	Murphy	Stark
Hutto	Murtha	Stearns
Hyde	Myers	Stenholm
Inglis	Nadler	Stokes
Inhofe	Natcher	Strickland
Inlakes	Neal (MA)	Studds
Istook	Neal (NC)	Stump
Jacobs	Nussle	Stupak
Jefferson	Oberstar	Sundquist
Johnson (CT)	Obey	Swett
Johnson (GA)	Oliver	Swift
Johnson (SD)	Ortiz	Synar
Johnson, E. B.	Orton	Talent
Johnson, Sam	Owens	Tanner
Johnston	Oxley	Tauzin
Kanjaraski	Pallone	Taylor (MS)
Kaptur	Parker	Taylor (NC)
Kasich	Pastor	Tejeda
Kennedy	Paxos	Thomas (CA)
Kennedy	Payne (NJ)	Thomas (WY)
Kildee	Payne (VA)	Thompson
Kim	Pelosi	Thornton
King	Penny	Thurman
Kington	Peterson (FL)	Torkildsen
Kleaska	Peterson (MN)	Torres
Klein	Petri	Torricelli
Klink	Pickett	Towns
Klug	Pickle	Traficant
Knoellberg	Pombo	Tucker
Kolbe	Pomeroy	Unschuld
Kopetski	Porter	Upton
Kreidler	Portman	Valentine
Kyl	Poshard	Velasquez
LaFalce	Price (NC)	Vento
Lambert	Pryce (OH)	Visclosky
Lancaster	Quillen	Volkmer
Lantes	Quinn	Vucanovich
LaRocco	Rahall	Walker
Laughlin	Ramstad	Walsh
Lazio	Rangel	Walt
Leach	Ravenel	Warman
Lehman	Reed	Weldon
Levin	Regula	Whelan
Levy	Reynolds	Whitten
Lewis (CA)	Richardson	Williams
Lewis (FL)	Ridge	Wilson
Lewis (GA)	Roberts	Wise
Lightfoot	Roemer	Wolf
Linder	Rogers	Woolsey
Lipinski	Rohrabacher	Wyden
Livingston	Ros-Lehtinen	Wynn
Lloyd	Rose	Yates
Long	Rostenkowski	Young (AK)
Lowey	Roth	Young (FL)
MacHale	Rowland	Zeliff
Maloney		Zimmer

NOES—6

Abercrombie	McHale	Sanders
Brown (CA)	Mink	Waters

NOT VOTING—9

Carr	Henry	Moakley
de la Garza	McDade	Packard
Harman	Mfume	Washington

□ 1821

Messrs. BLACKWELL, CONYERS, SCOTT, NADLER, KENNEDY, and MANN changed their vote from "No" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. McNULTY). The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment:

Page 247, after line 3, strike the close quotation marks and the final period.

Page 247, after line 3, insert the following new subsection:

"(d) Specification of Budget Function.—The authorizations of appropriations contained in this section shall be considered to be a component of budget function 500 as used by the Office of Management and Budget to cover education, training, employment, and social services, and, as such, shall be considered as related to the programs of the Departments of Labor, Health Services, and Education for budgetary purposes."

Page 284, after line 4, insert the following new paragraph:

"(5) Specification of Budget Function.—The authorizations of appropriations contained in this subsection shall be considered to be a component of budget function 500 as used by the Office of Management and Budget to cover education, training, employment and social services, and, as such, shall be considered as related to the programs of the Departments of Labor, Health and Human Services, and Education for budgetary purposes."

Mr. WALKER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the Chair's prior announcement, this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 385, noes 38, not voting 11, as follows:

(Roll No. 377)

AYES—385

Abercrombie	Baker (CA)	Bentley
Ackerman	Baker (LA)	Bereuter
Allard	Ballester	Berman
Andrews (ME)	Barca	Bevill
Andrews (NJ)	Barcia	Bilbray
Andrews (TX)	Barlow	Bilirakis
Applegate	Barrett (NE)	Bishop
Archer	Barrett (WI)	Blackwell
Armey	Bartlett	Bliley
Bacchus (FL)	Barton	Blute
Baesler	Bateman	Boehert

July 28, 1993

July 28

Gordon
Goss
Grams
Grandy
Green
Greenwood
Gundersen
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Hartman
Hastert
Hastings
Hayes
Hefley
Herger
Hilliard
Hinchee
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Ingels
Inhofe
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machley
Maloney
Mann
Manton
Mansullo
Margolies
Mervinsky
Marky
Martinez
Mataul
Mazzoli
McCandless
McCloskey

McCollum
McCrery
McCurdy
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinar
Montgomery
Moorhead
Morella
Murphy
Murtha
Myers
Nadler
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Ortiz
Orton
Owens
Oxley
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petr
Pickett
Pickle
Pombo
Pomeroy
Portman
Kim
Poshard
Pryce (OH)
Quillen
Quinn
Rahall
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Roe-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Royce
Sangmeister
Santorum
Sarpaliss
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisk
Sisk
Skaggs
Skeen
Skelton
Slattery

Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Synar

Talent
Tanner
Tausin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Valentine

Vento
Volkmmer
Vucanovich
Walker
Walsh
Weidner
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wyden
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—38

Becerra
Bellenson
Brown (CA)
Clay
Collins (IL)
Coppersmith
Engel
Flake
Frank (MA)
Furse
Gibbons
Gonzales
Hefner

Hoyer
Jefferson
McDermott
Mollohan
Moran
Natcher
Oliver
Pelosi
Porter
Price (NC)
Rangel
Roybal-Allard
Rush

Sanders
Smith (IA)
Stokes
Swift
Unsold
Velazquez
Visclosky
Waters
Watt
Waxman
Woolsey
Yates

NOT VOTING—11

Bachus (AL)
Brewster
Conyers
Gephardt

Henry
McDade
Moakley
Packard

Ramstad
Sabo
Washington

□ 1832

Messrs. BROWN of California, PRICE of North Carolina, HEFNER, RUSH, MOLLOHAN, RANGEL, McCLOSKEY, JEFFERSON, and FLAKE, and Mrs. COLLINS of Illinois, changed their vote from "aye" to "no."

Mr. CARDIN and Mr. SCHUMER changed their vote from "no" to "aye".

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. McNULTY). The Clerk will report the last amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: At the end of the bill, add the following (and conform the table of contents of the bill accordingly):

TITLE V—LIMITATION ON LIABILITY OF VOLUNTEERS

SEC. 501. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds and declares that—

(1) within certain States, the willingness of volunteers to offer their services has been increasingly deterred by a perception that they thereby put personal assets at risk in the event of liability actions against the organization they serve;

(2) as a result of this perception, many nonprofit public and private organizations and governmental entities, including voluntary associations, social service agencies, educational institutions, local governments, foundations, and other civic programs, have been adversely affected through the withdrawal of volunteers from boards of directors and service in other capacities;

(3) the contribution of these programs to their communities is thereby diminished, resulting in fewer and higher cost programs than would be obtainable if volunteers were participating;

(4) the efforts of nonprofit organizations, local government, States, and the Federal Government to promote voluntarism, and

community and national service, are adversely affected by the withdrawal of volunteers from boards of directors and service in other capacities; and

(5) because Federal funds are expended of useful and cost-effective social service programs which depend heavily volunteer participation, protection of voluntarism through clarification and limitation of the personal liability risks assumed by the volunteer in connection with such participation is an appropriate subject for Federal encouragement of State reform.

(b) PURPOSE.—The purpose of this title are to promote programs of community and national service, to promote the interests of social service program beneficiaries and taxpayers, and to sustain the availability of programs and nonprofit organizations and governmental entities which depend on volunteer contributions, by encouraging reasonable reform of laws to provide protection from personal financial liability to volunteers serving with nonprofit organizations and governmental entities for actions undertaken in good faith on behalf of such organizations.

SEC. 502. NO PREEMPTION OF STATE TORT LAW.

Nothing in this title shall be construed to preempt the laws of any State governing tort liability actions.

SEC. 503. LIMITATION OF LIABILITY FOR VOLUNTEERS.

(a) LIABILITY PROTECTION FOR VOLUNTEERS.—For purposes of satisfying the requirement specified in section 123(a)(5) of the National and Community Service Act of 1990, and except as provided in subsections (b), (c), and (d), a State shall provide by law that any volunteer of a nonprofit organization or governmental entity shall incur no personal financial liability for any tort claim alleging damage or injury from any act or omission of the volunteer on behalf of the organization or entity if—

(1) such individual was acting in good faith and within the scope of such individual's official functions and duties with the organization or entity and such functions and duties are directly connected to the administration of a program described in section 122(a); and

(2) such damage or injury was not caused by willful and wanton misconduct by such individual.

(b) CONCERNING RESPONSIBILITY OF VOLUNTEERS WITH RESPECT TO ORGANIZATIONS.—Nothing in this section shall be construed to affect any civil action brought by any nonprofit organization or any governmental entity against any volunteer of such organization or entity.

(c) NO EFFECT ON LIABILITY OF ORGANIZATION.—Nothing in this section shall be construed to affect the liability of any nonprofit organization or governmental entity with respect to injury caused to any person.

(d) EXCEPTIONS TO VOLUNTEER LIABILITY PROTECTION.—A State shall impose the following conditions on and exceptions to the granting of liability protection to any volunteer of an organization or entity required by subsection (a):

(1) The organization or entity must adhere to risk management procedures, including mandatory training of volunteers.

(2) The organization or entity shall be liable for the acts or omissions of its volunteers to the same extent as an employer is liable, under the laws of that State, for the acts or omissions of its employees.

(3) The protection from liability does not apply if the volunteer was operating a motor vehicle or was operating a vessel, aircraft, or other vehicle for which a pilot's license is required.

(4) The protection from liability does not apply in the case of a suit brought by an ap-

propriate ment to law.

(5) The apply only provides a fl for indivi of action: the organ cure sour policy w coverage equivalent ments th will be at amount. types of

SEC. 504. D

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(4) the several S: Commonw Islands, G ern Maria possessor ical subdi or possess

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The vo vice and not vot

Mr. W. Allard Andrews (M Andrews (N Andrews (T Archer Army Bacchus (F Baesler

appropriate officer of a State or local government to enforce a Federal, State, or local law.

(5) The protection from liability shall apply only if the organization or entity provides a financially secure source of recovery for individuals who suffer injury as a result of actions taken by a volunteer on behalf of the organization or entity. A financially secure source of recovery may be an insurance policy within specified limits, comparable coverage from a risk pooling mechanism, equivalent assets, or alternative arrangements that satisfy the State that the entity will be able to pay for losses up to a specified amount. Separate standards for different types of liability exposure may be specified.

SEC. 504. DEFINITIONS.

For purposes of this title—

(1) the term "volunteer" means an individual performing services for a nonprofit organization or a governmental entity who does not receive compensation, or any other thing of value in lieu of compensation, for such services (other than reimbursement for expenses actually incurred or honoraria not to exceed \$300 per year for government service), and such term includes a volunteer serving as a director, officer, trustee, or direct service volunteer;

(2) the term "nonprofit organization" means any organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code;

(3) the term "damage or injury" includes physical, nonphysical, economic, and non-economic damage; and

(4) the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

Mr. WALKER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the Chair's prior announcement this is a 5-minute vote that may be followed by additional votes on this bill. Members are requested to remain in the Chamber.

The vote was taken by electronic device and there were—ayes 362, noes 61, not voting 11, as follows:

Roll No. 378

AYES—362

Ackerman	Baker (CA)	Barton
Allard	Baker (LA)	Bateman
Andrews (ME)	Ballenger	Beilenson
Andrews (NJ)	Barca	Bentley
Andrews (TX)	Barcia	Bereuter
Archer	Barlow	Berman
Armey	Barrett (NE)	Bevill
Bacchus (FL)	Barrett (WI)	Billbray
Baessler	Bartlett	Billakis

Bliley	Grandy	Michel
Blute	Greenwood	Miller (FL)
Boehert	Gunderson	Mineta
Boehner	Gutierrez	Minge
Bonilla	Hall (OH)	Molinari
Borski	Hall (TX)	Montgomery
Boucher	Hamilton	Moorhead
Browder	Hancock	Morella
Brown (CA)	Hansen	Murphy
Brown (FL)	Harman	Murtha
Brown (OH)	Hastert	Myers
Bryant	Hayes	Natcher
Bunning	Hefley	Neal (MA)
Burton	Hefner	Neal (NC)
Buyer	Hegger	Nussle
Byrne	Hinchey	Oberstar
Callahan	Hobson	Obey
Calvert	Hochbrueckner	Oliver
Camp	Hoeksra	Ortiz
Canady	Hoke	Orton
Cantwell	Holden	Owens
Cardin	Horn	Oxley
Carr	Houghton	Pallone
Castle	Hoyer	Parker
Chapman	Huffington	Pastor
Clement	Hughes	Paxon
Clinger	Hunter	Payne (VA)
Clyburn	Hutchinson	Penny
Coble	Hutto	Peterson (FL)
Coleman	Hyde	Peterson (MN)
Collins (GA)	Inglis	Petri
Collins (MI)	Inhofe	Pickett
Combest	Istook	Pickle
Condit	Jacobs	Pombo
Cooper	Jefferson	Pomeroy
Coppersmith	Johnson (CT)	Porter
Cox	Johnson (GA)	Portman
Cramer	Johnson (SD)	Poshard
Crane	Johnson, Sam	Price (NC)
Crapo	Johnston	Pryor (OH)
Cunningham	Kaptur	Quillen
Danner	Kasich	Quinn
Darden	Kennelly	Rahall
de la Garza	Kildee	Ramstad
Deal	Kim	Ravenel
DeFazio	King	Reed
DeLauro	Kingston	Regula
DeLay	Klecska	Richardson
Derrick	Klein	Ridge
Dias-Balart	Klug	Roberts
Dickey	Knollenberg	Roemer
Dicks	Kolbe	Rogers
Dixon	Kreidler	Rohrabacher
Doolittle	Kyl	Ros-Lehtinen
Dorman	LaFalce	Rose
Dreier	Lambert	Rostenkowski
Duncan	Lantos	Roth
Dunn	LaRocco	Roukema
Durbin	Laughlin	Rowland
Edwards (CA)	Laxlo	Roybal-Allard
Edwards (TX)	Leach	Royce
Emerson	Lehman	Sanders
English (AZ)	Levin	Sangmeister
English (OK)	Levy	Santorum
Eshoo	Lewis (CA)	Sarpaliss
Evans	Lewis (FL)	Sawyer
Everett	Lewis (GA)	Saxton
Ewing	Lightfoot	Schaefer
Farr	Linder	Schenk
Fawell	Lipinski	Schiff
Fazio	Livingston	Schroeder
Fields (LA)	Lloyd	Schumer
Fields (TX)	Long	Sensenbrenner
Filner	Lowey	Serrano
Fingerhut	Machley	Sharp
Fish	Maloney	Shaw
Ford (TN)	Manton	Shays
Fowler	Manzullo	Shepherd
Frank (MA)	Margolies	Shuster
Frank (CT)	Mezvinaky	Sisk
Frank (NJ)	Martinez	Sisk
Frost	Matsui	Skelton
Galleghy	Mazzoli	Slattery
Gallo	McCandless	Slaughter
Gejdenson	McCloskey	Smith (MI)
Gekas	McCollum	Smith (NJ)
Geron	McCrery	Smith (OR)
Gibbons	McCurdy	Smith (TX)
Gillchrest	McHale	Snowe
Gillmor	McHugh	Solomon
Gliman	McInnis	Spence
Gingrich	McKeon	Spratt
Glickman	McKinney	Stearns
Goodlatte	McMillan	Stenholm
Goodling	Meehan	Strickland
Gordon	Menendes	Studds
Goss	Meyers	Stump
Grams	Mfume	Stupak
	Mica	Sundquist

Swett	Torres	Waxman
Talent	Torricelli	Weldon
Tanner	Towns	Wheat
Tauzin	Tucker	Whitten
Taylor (MS)	Upton	Williams
Taylor (NC)	Valentine	Wilson
Tejeda	Velasquez	Wise
Thomas (CA)	Vento	Wolf
Thomas (WY)	Visclosky	Wyden
Thompson	Volkmmer	Young (AK)
Thornton	Vucanovich	Young (FL)
Thurman	Walker	Zeliff
Torkildsen	Walsh	Zimmer

NOES—61

Abercrombie	Gonzales	Moran
Applegate	Green	Nadler
Becerra	Hamburg	Payne (NJ)
Bishop	Hastings	Reynolds
Blackwell	Hilliard	Rush
Bonior	Hoagland	Scott
Brooks	Insole	Skaggs
Clay	Johnson, E. B.	Smith (IA)
Clayton	Kanjorski	Stark
Collins (IL)	Kennedy	Stokes
Conyers	Klink	Swift
Costello	Kopetski	Synar
Coyne	Lancaster	Trafiacant
Dellums	Mann	Unsoeld
Deutch	Markey	Waters
Dingell	McDermott	Watt
Engel	McNulty	Woolsey
Flake	Meek	Wynn
Foglietta	Miller (CA)	Yates
Ford (MI)	Mink	
Furse	Mollohan	

NOT VOTING—11

Bachus (AL)	McDade	Rangel
Brewster	Moakley	Sabo
Gephardt	Packard	Washington
Henry	Pelosi	

□ 1838

Messrs. RUSH, BLACKWELL, and COYNE changed their vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1840

MOTION TO RECOMMIT OFFERED BY MR. GOODLING

Mr. GOODLING. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. McNULTY). Is the gentleman opposed to the bill?

Mr. GOODLING. In its present form, yes, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GOODLING moves to recommit the bill, H.R. 2010, to the Committee on Education and Labor.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

kinds of duties. They are in fact units and organizations that would be covered under the scope of my amendment.

So, therefore, Mr. Chairman, because my amendment is a condition of employment for the people who would be serving in these programs and because the chairman has broadened the scope of the bill to include military agencies as part of the scope of his bill, at that point he has put aside both his issue of germaneness and his issue of the matters under consideration. In both cases I think the amendment relates to the fundamental issues within the bill, that a response to a major disaster has in fact broadened the scope to include military agencies, particularly in line with the need to coordinate with other activities.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Chairman, I insist on my point of order for all the reasons I have stated, and I would observe that when the gentleman talks about cooperation with other agencies, if you look at page 207 of the bill, it specifies who will do the cooperating and with whom. It specifies that the ex officio members of the National Service Corporation, not the subgrantees, will cooperate with the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Housing and Urban Development, the Secretary of Defense, the Attorney General, the Director of the Peace Corps, and the Administrator of the Environmental Protection Agency. That is merely a permissive sort of interaction between the ex officio members of the board of the corporation and these various agencies. I guess the easiest way to understand how really nongermane this amendment is, is to point out that the gentleman's amendment would have the effect of saying that if in a number of cities, in the inner city you had people who were otherwise unable to work outside the home because they are wheelchair-borne, for example, teaching young people reading as tutors, as a part of the program, he would put them in the military. I do not know which military he wants to give the wheelchair battalion to, but there is no relation between the person serving as a tutor or a nurse's aide or some other kind of an operation for a church, a nonprofit organization, or a school district, and service in the military.

The gentleman's amendment should be taken up with the Committee on Armed Services, and if the gentleman wants a back-door draft, that committee ought to bring the bill to the floor.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I wish to be heard further on the amendment.

The chairman of the committee, of course, mischaracterizes the amendment. He obviously has not read it. Under the qualifications section of the amendment, handicapped people, of course, would not be covered.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WALKER. No, I will not yield because the gentleman knew that he was mischaracterizing it when he said it.

Mr. FORD of Michigan. That is not sufficient reason for the gentleman to refuse to yield to me.

The CHAIRMAN. The gentleman from Michigan is out of order. The gentleman from Pennsylvania cannot yield. The gentleman from Pennsylvania [Mr. WALKER] is recognized.

Mr. WALKER. The Chair is correct, and we ought to know the rules.

Mr. Chairman, as for the ex officio members the chairman of the committee refers to on page 206, he read the list of them, but it is clear the amendment he accepted is to extend the consultations beyond the ex officio members because it includes in the language of the amendment the Secretary of Transportation, who is not among the ex officio members. So it is clear that the intent of his amendment was to extend beyond the people he read in this particular instance. He did not include the Secretary of Defense, but it is also clear, if the Chair will refer to page 157, that all relief efforts in response to an emergency or major disaster declared by the President are in fact covered by this, and it would have to coordinate with the Department of Defense in order to carry out such efforts.

So it is clear that the intent of these amendments en bloc was to expand the scope of the bill. All I am suggesting is that under that expanded scope of the bill, my amendment is entirely germane and is entirely related to the matters now under consideration.

The CHAIRMAN (Mr. FIELDS of Louisiana). The Chair is prepared to rule.

The gentleman from Michigan [Mr. FORD] makes a point of order that the amendment offered by the gentleman from Pennsylvania [Mr. WALKER] is not germane. The amendment would require participants in the National Service Program to enter into an agreement with the Secretary of Defense to be available throughout their term in national service for temporary enlistment in the Armed Forces in the event of a national emergency. The amendment would establish a military obligation as a matter of law. Such a contingent military service measure would fall within the jurisdiction of the Committee on Armed Services. The bill, on the other hand, was reported only by the Committee on Education and Labor, and authorizes a variety of national service programs, all of which are civilian in nature.

The bill, as amended, refers to coordination with other Federal agencies that deal with individuals and communities participating in or benefiting

from such projects and programs. While it might be argued that the bill, as amended, contemplates some coordination with the Defense Department, it appears to be confined to national programs that are civilian in nature.

Committee jurisdiction is a relevant test of germaneness where the pending text is within one committee's jurisdiction and the amendment falls within another's committee purview. Deschler's Procedure, chapter 28, section 4.1. Such is the situation at hand and, in the opinion of the Chair, the amendment is nongermane. The Chair sustains the point of order.

□ 1140

AMENDMENT OFFERED BY MR. PORTER

Mr. PORTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PORTER: Page 24, line 19, strike "and" at the end.

Page 24, line 21, strike the period and insert "; and".

Page 24, after line 21, insert the following: "(6) encourage national service programs to adhere to risk management procedures, including the training of participants in appropriate risk management practices."

Mr. PORTER. Mr. Chairman, the National Service Trust Act authorizes the Corporation for National Service to conduct training programs to help national service programs identify and meet needs, promote leadership development, improve quality, develop management/budget skills, and train participants.

My amendment would add a sixth objective for the training programs, to "encourage national service programs to adhere to risk management procedures, including the training of participants in appropriate risk management practices."

The purpose of the amendment is to clarify that training grants to promote risk management activities by national service programs are allowable under this section and that the Corporation for National Service should strongly consider making such grants.

Risk management involves a number of practices, Mr. Chairman. But at its most basic, it involves the training of employees and volunteers to avoid situations and conditions which pose an unnecessary risk of injury to others and to identify such conditions and circumstances.

The National Service Trust Act envisions participants and programs being involved in a wide variety of activities. Some of these activities are known for their potential for giving rise to litigation, such as—"addressing unmet environmental needs," "a professional corps programs that recruits, trains and places qualified participants in positions as teachers, nurses, police officers, early childhood development staff, and "disaster relief."

Mr. Chairman, these are all worthwhile activities, but they should not be undertaken without proper risk management training. My amendment simply assures that the Corporation for

Portman	Schiff	Tanner	Frank (MA)	Lewis (FL)	Romero-Barcelo	Istook	Meek	Slaughter
Pryce (OH)	Schroeder	Tausin	Frank (CT)	Lightfoot	(PR)	Jefferson	Miller (CA)	Stark
Quillen	Sensenbrenner	Taylor (MS)	Frank (NJ)	Linder	Ros-Lehtinen	Kanjorski	Mink	Stokes
Quinn	Shaw	Taylor (NC)	Frost	Lipinski	Rostenkowski	Kennedy	Mollohan	Swift
Ramstad	Shays	Thomas (CA)	Gallely	Livingston	Roth	Klink	Murphy	Synar
Ravenel	Shuster	Thomas (WY)	Gallo	Lloyd	Roukema	Kopetski	Nadler	Taylor (NC)
Regula	Skeea	Torkildsen	Geddeson	Long	Rowland	Lancaster	Oliver	Torres
Ridge	Smith (MI)	Upton	Gekas	Lowey	Roybal-Allard	Lewis (GA)	Owens	Trafficant
Roberts	Smith (NJ)	Visclosky	Gephardt	Machley	Royce	Mann	Pelosi	Unsoeld
Rogers	Smith (OR)	Vucanovich	Geren	Maloney	Sabo	Martinez	Rush	Waters
Rohrabacher	Smith (TX)	Walker	Gibbons	Manton	Sanders	McInnis	Schroeder	Watt
Ros-Lehtinen	Snowe	Walsh	Gilchrest	Manzullo	Sangmeister	McNulty	Scott	Wilson
Roth	Solomon	Weldon	Gillmor	Margolies	Santorum	Meehan	Skaggs	
Roukema	Spence	Wolf	Gilman	Mervinsky	Sarpallus			
Rowland	Stearns	Young (AK)	Gingrich	Markey	Sawyer			
Royce	Stenholm	Young (FL)	Olickman	Matsui	Saxton			
Santorum	Stump	Zeliff	Gonzales	Mazoli	Schaefer			
Saxton	Sundquist	Zimmer	Goodlatte	McCandless	Schenk			
Schaefer	Talent		Goodling	McCloskey	Schiff			
			Gordon	McCollum	Schumer			
			Goss	McCrery	Sensenbrenner			
			Grams	McCurdy	Serrano			
			Grandy	McDermott	Sharp			
			Greenwood	McHale	Shaw			
			Gunderson	McHugh	Shays			
			Gutierrez	McKeon	Shepherd			
			Hall (OH)	McKinney	Shuster			
			Hall (TX)	McMillan	Siskis			
			Hamilton	Menendes	Skeen			
			Hancock	Meyers	Skelton			
			Hansen	Mfume	Slattery			
			Hartman	Mica	Smith (IA)			
			Hastert	Michel	Smith (MI)			
			Hastings	Miller (FL)	Smith (NJ)			
			Hayes	Mineta	Smith (OR)			
			Hefley	Minge	Smith (TX)			
			Hefner	Mollinari	Snowe			
			Heger	Montgomery	Solomon			
			Hilliard	Moorhead	Spence			
			Hinchey	Moran	Spratt			
			Hobson	Morella	Stearns			
			Hochbrueckner	Murtha	Stenholm			
			Hoekstra	Myers	Strickland			
			Hoke	Natcher	Studds			
			Horn	Neal (MA)	Stump			
			Houghton	Neal (NC)	Stupak			
			Hoyer	Norton (DC)	Sundquist			
			Huffington	Nussle	Swett			
			Hughes	Oberstar	Talent			
			Hunter	Obey	Tanner			
			Hutchinson	Ortiz	Tauzin			
			Hutto	Orton	Taylor (MS)			
			Hyde	Oxley	Tejeda			
			Inglis	Pallone	Thomas (CA)			
			Inhofe	Parker	Thomas (WY)			
			Jacobs	Pastor	Thompson			
			Johnson (CT)	Paxon	Thornton			
			Johnson (GA)	Payne (NJ)	Thurman			
			Johnson (SD)	Payne (VA)	Torkildsen			
			Johnson, E. B.	Penny	Torricelli			
			Johnson, Sam	Peterson (FL)	Towns			
			Johnson	Peterson (MN)	Tucker			
			Kaptur	Petri	Upton			
			Kasich	Pickett	Valentine			
			Kildee	Pickie	Velasquez			
			Kim	Pombo	Vento			
			King	Pomeroy	Visclosky			
			Kingston	Porter	Volkmer			
			Kleczka	Portman	Vucanovich			
			Klein	Poshard	Walker			
			Klug	Price (NC)	Walsh			
			Knollenberg	Pryce (OH)	Waxman			
			Kolbe	Quillen	Weldon			
			Kreidler	Quinn	Wheat			
			Kyl	Rahall	Whitten			
			LaFalce	Ramstad	Williams			
			Lambert	Ravenel	Wise			
			Lantos	Reed	Wolf			
			LaRocco	Regula	Woolsey			
			Laughlin	Reynolds	Wyden			
			Lazio	Richardson	Wynn			
			Leach	Ridge	Yates			
			Lehman	Roberts	Young (AK)			
			Levin	Roemer	Young (FL)			
			Levy	Rogers	Zeliff			
			Lewis (CA)	Rohrabacher	Zimmer			

NOT VOTING—6

Henry
McLade

Moakley
Packard

Rose
Washington

□ 1259

Messrs. PETRI, EWING, MANZULLO, TANNER, PAYNE of Virginia, and BARCIA of Michigan changed their vote from "aye" to "no."

Messrs. VENTO, BEVILL, HILLIARD, and HALL of Texas changed their vote from "no" to "aye."

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. PORTER], as amended.

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. PORTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. The Chair reminds the Members that they have 5 minutes in which to vote.

The vote was taken by electronic device, and there were—ayes 358, noes 69, not voting 12, as follows:

[Roll No. 373]

AYES—358

Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Bellenson
Bentley
Bereuter
Berman
Bevill
Billbray
Billirakis
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonor

Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (OH)
Bryant
Bunning
Burton
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Combest
Condit
Cooper
Coppersmith
Cox
Cramer
Crane
Crapo
Cunningham

Darden
de la Garza
DeFazio
DeLauro
DeLay
Derrick
Dias-Balart
Dickey
Dicks
Dooley
Doolittle
Dorman
Dreier
Duncan
Dunn
Durbin
Edwards (TX)
Emerson
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Brooks
Brown (FL)
Clay
Clayton
Collins (IL)
Collins (MI)
Costello

Frank (MA)
Frank (CT)
Frank (NJ)
Frost
Gallely
Gallo
Geddeson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Olickman
Gonzales
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hartman
Hastert
Hastings
Hayes
Hefley
Hefner
Heger
Hilliard
Hinchey
Hobson
Hochbrueckner
Hoekstra
Hoke
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Jacobs
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnson
Kaptur
Kasich
Kildee
Kim
King
Kingston
Kleczka
Klein
Klug
Knollenberg
Kolbe
Kreidler
Kyl
LaFalce
Lambert
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)

NOES—69

Abercrombie
Applegate
Becerra
Bishop
Brooks
Brown (FL)
Clay
Clayton
Collins (IL)
Collins (MI)
Costello

Faleomavaega
(AS)
Fields (LA)
Ford (MI)
Ford (TN)
Furse
Green
Hamburg
Hoagland
Holden
Inslee

NOT VOTING—12

Baker (LA)
Buyer
Conyers
Henry

Kennelly
McDade
Moakley
Packard

Rangel
Rose
Underwood (GU)
Washington

Mr. MOLLOHAN and Ms. SLAUGHTER changed their vote from "aye" to "no."

Ms. SCHENK and Mr. BARRETT of Wisconsin changed their vote from "no" to "aye."

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

□ 1310

AMENDMENT OFFERED BY MR. PORTER

Mr. PORTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PORTER: Page 30, after line 6, add the following:

"(5) EFFECT OF STATE FAILURE TO LIMIT LIABILITY.—If, not later than 2 years after the effective date of this subtitle, a State fails to have in effect (and to certify in its application that the State has in effect) a limitation on liability that satisfies the requirements of title V of the National Service Trust Act of 1993, the allotment for such State shall be reduced by 5 percent, and the Corporation shall allot the amount of the reduction among the States that have in effect (and so certify) such limitation."

Mr. PORTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore (Mr. FILNER). Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FORD of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Michigan.

Mr. FORD of Michigan. Mr. Chairman, we accepted the gentleman's amendment a little while ago. Then we spent 2½ hours. I would like to accept the gentleman's amendment, if we are not going to be put to wasting any more time on getting this bill moving.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Illinois [Mr. PORTER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HEFLEY: Page 218, after line 6, insert the following new subsection:

"(f) FULL FUNDING OF COSTS TO STATE AND LOCAL GOVERNMENTS OF REQUIREMENTS

tingency fund of at least \$2 billion to deal with anticipated needs from this ongoing disaster.

This morning's news reports tell us the damage total is more like \$12 billion with that number rising every day, just like the flood waters. So the aid proposed doesn't match even half of the damages we know about. And I am convinced that the Federal Government must absorb 50 percent of these losses because they are so massive and widespread.

Despite the obvious emergency, I recently heard some insisting that we find offsetting cuts to fund flood relief. And I have received letters from some Senate colleagues urging the same thing.

Let me respond to those who would delay this critical aid package even further on the grounds that we must find offsetting spending cuts.

In the last several years Congress has funded relief efforts for: Kurdish refugees, Hurricane Bob, Hurricane Andrew, Hurricane Iniki, Typhoon Omar, the Chicago flood, and the Los Angeles riots.

Those relief efforts were emergency spending bills. We did not hesitate to help.

I have no problem with paying as we go. But it should not prevent us from immediately responding to disasters, as we always have before.

For example, in May 1991, Congress approved \$715 million for Kurdish refugee relief. That was not even in the budget. It passed by a voice vote.

Most recently, in September 1992, the Senate voted 84 to 10 to give \$5 billion to people and communities hit by Typhoon Omar in Guam and Hurricanes Andrew and Iniki. That was emergency funding. We did not seek to offset that spending.

It is very ironic that some of the very same people who did not worry about where that aid would come from then, want to hold up flood relief now.

Well, my priority is helping the victims of this disaster. If people want to find spending cuts to offset this money, that is fine by me. In fact, I know where we can find the money.

I spoke on this floor about possible spending cuts 6 weeks ago, when the rain was just beginning.

One of the things I suggested was that we cut Government overhead by 2 percent. If we want to pay for this flood relief as we go along, a 2-percent overhead cut for just next year would yield \$5 billion. That is enough to pay for the House bill, the President's additional request, and the contingency funding we will need to see us through this crisis.

It has been raining in America's heartland for 6 weeks. In my home State of North Dakota rivers are rising right now.

Why cannot we do for midwestern families, farmers, and small businesses what we did for Kurds in northern Iraq and for the resorts on the island of Kauai?

This disaster is not over. Let us pass a flood relief package and give the victims of this flood the same assistance we gave everyone else. And let us include contingency funding to help deal with the massive damages yet to come.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. CAMPBELL). Under the previous order, morning business is closed.

NATIONAL AND COMMUNITY SERVICE TRUST ACT OF 1993

The PRESIDING OFFICER. The Senate will now resume consideration of S. 919, the national service bill, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 919) to amend the National and Community Service Act of 1990 to establish a Corporation for National Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and for other purposes.

The Senate resumed consideration of the bill.

Pending: KENNEDY amendment No. 709. In the nature of a substitute.

The PRESIDING OFFICER. Under the previous order, there will now be a period for debate with the time to 12 noon equally divided and controlled in the usual manner. At 12 noon the vote will occur on cloture at that time.

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KENNEDY. The time is divided?

The PRESIDING OFFICER. The time is divided equally between the managers.

Mr. KENNEDY. Mr. President, I yield myself 8 minutes.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

AMENDMENT NO. 709 IN THE NATURE OF A SUBSTITUTE

Mr. KENNEDY. Mr. President, I urge the Senate to invoke cloture on S. 919, the National and Community Service Trust Act of 1993. There is no justification for further delay on this measure. We must bring the legislation to a final vote.

The Senate stands at a crossroads. Cloture is the path of cooperation and solutions. The filibuster path represents divisiveness and obstructionism. National service is a litmus test for whether Republicans are truly interested in working with Democrats to enact legislation that Americans desire and demand. If Republicans choose to filibuster national service, it states clearly their desire to be partisan thorns in the administration's side, rather than bipartisan solvers of the Nation's challenges. There is a difference between loyal opposition and

disloyal obstruction, and a Republican filibuster crosses that clear line.

House Republican Congressman STEVE GUNDERSON from Wisconsin stated in a letter to Republican Senators:

As a fellow Republican, I plead with you not to [filibuster]. * * * I urge you not to allow our party to become "the obstructionist" party. * * * [O]ur opposition on this legislation, in its present form, will certify to the nation that Republicans indeed have no desire to work in a bipartisan fashion at any time on any issue. * * *

National service is a natural bipartisan issue. It relates to ideals which all Americans—Democrats and Republicans—have consistently and enthusiastically supported: community, patriotism, responsibility, opportunity.

We have a solid history of bipartisanship on this issue in Congress, and it is regrettable that some Senators now seem willing to break with that history. Just last night, the House of Representatives approved its version of the national service bill. The vote was 275 to 152 with significant bipartisan support. Many Republicans supported this bill—a bill with far fewer of the accommodations that we have made in the Senate to obtain Republican support.

The Senate too has a history of bipartisan support for national service. In 1990, the National and Community Service Act was enacted by 78 Senators, demonstrating broad support by both Republicans and Democrats. The pending Senate bill is an amendment to that act which incorporates its essential features: service learning, full-time national service with educational awards, and a decentralized service program administered through grants to the States. It deserves the same bipartisan support. As introduced, it had Democratic and Republican cosponsors, and was endorsed by all of the Democrats and a majority of the Republicans on the Senate Labor and Human Resources Committee.

In the course of this debate, we have reached out in good faith to address Republican concerns. We have heeded many Republican suggestions and modified the bill accordingly. A Republican vote against cloture at this point is a signal that Republicans did not truly care about the concerns they were voicing. A Republican vote against cloture at this point is a repudiation of that process.

Let me highlight just some of the changes we have made in 3 days of Senate floor debate and a week of negotiations:

Republicans said they wanted the program authorized for a shorter time period and with less open-ended obligations for the Federal Government. The substitute amendment before us does that. The legislation reduces the authorization from 5 to 3 years, so that Congress can modify the growth and structure of the program on the basis of the first 3 years of experience.

We put in specific authorizations of \$300 million in 1994, \$500 million in 1995, and \$700 million in 1996—an eminently

reasonable compromise between the President's original request and Republican counteroffers.

Republicans voiced fears that the national service program would be an entitlement program. We have reworked the language to clarify that it is not.

Republicans said they wanted to examine the fundamental premises of the program. They wanted to see if post-service educational benefits were needed to encourage people to participate. They wanted to know the extent to which this program is opening new opportunities for disadvantaged Americans. They wanted to examine if there were still better ways to create an efficient and streamlined administrative structure for the program. We said that there would be no sacred cows—we now require the Corporation to reexamine all these issues.

Republicans wanted to make sure—if we were paying the high cost to support full-time national service participants with post-service educational benefits—that the programs were meeting vital national and community needs. The Kennedy-Durenberger-Wofford Jeffords substitute meets this concern by requiring the Corporation to set priorities for service programs which tie the service to the identified areas of greatest need.

Republicans wanted to place more specific administrative cost limits on the program for ACTION and the Corporation for National and Community Service. We have worked with them to set limits on administrative costs, in order to direct the maximum possible amount of funds to national service participants.

Republicans felt that there needed to be a more explicit program for rural community service. We have included one.

Republicans voiced concern that the national Corporation had too strong a role in administration. We gave a larger role to the State commissions in setting priorities for the program, and we gave the States the power to identify priorities that should not apply to them. We reduced the role of the Corporation's representatives on State commissions to an ex-officio, nonvoting status to ensure that Federal oversight of the State commissions is not intrusive.

Republicans were upset that participants might receive child care, even if they did not demonstrate their need for such assistance. We clarified that this could not be the case.

Republicans wanted to make sure that national service participants could not get more than 2 years of living allowances. We made sure of this.

Republicans wanted to ensure that no national service participants would be paid to engage in lobbying. We put in language to ensure this would not happen.

Republicans wanted to leave the requirements for applicants for service learning programs to regulations. We agreed to this.

Republicans wanted to clarify that Native Alaskans and their regional corporations could apply to the programs. We did so.

When they said they wanted something, we found a way to do it. Where proposed changes would have devastated the program, we submitted these amendments to a vote.

Now, after all these days of debate and negotiation—after all these days of incorporating their changes—after all these days of searching for common ground, the specter of Republicans filibustering our path to final passage still casts a large shadow over this important bill.

During the debate last night, the minority leader said that he had conveyed a reasonable offer to the White House that was ultimately rejected. Let me briefly discuss that offer.

As Members of the Senate know, the proponents of national service have already agreed to scale back the President's proposal from its initial size. We are prepared to agree to a 3-year, \$1.5 billion program—\$300 million in the first year, \$500 million in the second year, and \$700 million in the third year. That is the compromise embodied in the Kennedy-Durenberger substitute amendment pending before the Senate.

We have also said that we would be willing to leave the amount of the appropriations in the third year of the program indefinite, by authorizing "such sums as are necessary." But it is vital that this bill be authorized for 3 years.

If it is a 2 year authorization, there will be doubt about whether this program will continue. Legislative counsel has informed me that the Congress of the United States authorizes a 2-year bill only in the rarest of circumstances.

The Republican offer would have authorized \$300 million for the first year and \$500 million for the second year, but for the third year the minority leader proposed to authorize such sums as may be authorized. That is a meaningless phrase. The Republican offer would not authorize the program for a third year. As a practical matter, it would mean that the program would shut down after 2 years.

Congress almost never authorizes programs for as little as 2 years, and there are good reasons for that. Two years is too short a period of time to permit a major new initiative to develop fully and to prove its worth. In particular, it will take time for this national service program to reach its full potential in 2 years because of the necessary lag time between recruiting participants and the fulfillment of their service to the community.

A 2-year authorization is unacceptable to those who want to see national service succeed and flourish, and for that reason the minority leader's offer was unacceptable. We will continue to work with him and others to fashion appropriate language, but it must in-

clude authorization of the program for a third year.

If the process of conciliation with the Republicans over this legislation is not enough to convince Republicans to vote for cloture, maybe their constituents can.

On Monday, a rally was organized within 48 hours of the start of Republicans filibustering. It drew an overflow crowd of close to 1,000 young people in the Dirksen Senate Office Building. Participants from Boston and many other cities drove to the District of Columbia in disbelief that Republicans would threaten to filibuster a measure such as this with such broad public support. At the rally, it was announced that 25,000 postcards have already been received from Americans who want the national service bill to be passed now. The same group has committed to collect 100,000 Americans' signatures before this bill reaches the appropriations stage.

Many of those at the rally were citizens who wanted to make a difference. Nicole Thomas, a young mother, noted that "It's strange how I am here today, because politics never really mattered to me before." She said she was committed to national service because she wanted to make the world a better place for her daughter.

If Republican and Democratic Senators cannot listen to the people we represent, if Senators are more interested in scoring political points than in securing passage, if we cannot find a way to work together, then this is truly a sad day for America and for the Senate. We stand at the threshold of passage of legislation inspiring a generation to come. Those who vote against cloture register their vote for gridlock, their vote against the wishes of Americans, and their votes for obstructionism. If we work together we can accomplish so much. House Republican STEVE GUNDERSON wrote:

At a time when the American people are desperately cynical about Washington, we Republicans have a chance to show the best of bi-partisanship, not the worst of gridlock. If we Republicans kill national service, the public can legitimately ask: "what are we for?"

The time for obstruction is over. The time for national and community service is here. I urge the Senate to vote for cloture, end this unseemly and unconscionable filibuster, and pass this bill.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Chair would inform the Senator from Pennsylvania that the Senator from Kansas controls the time.

Mrs. KASSEBAUM. Mr. President, I yield 10 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank my distinguished colleague from Kansas.

One word of explanation, Mr. President, about the hat. I recently had an operation. It is for decor only.

ber has made a deposit with interest, if any, with respect to such service under section 8422(f)."

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

"(f)(1) Each employee or Member who has performed service as a volunteer or volunteer leader under part A of title VIII of the Economic Opportunity Act of 1964, or as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973, before the date of the separation from service on which the entitlement to any annuity under this subchapter, or subchapter V of this chapter, is based may pay, in accordance with such regulations as the Office of Personnel Management shall issue, to the agency by which the employee is employed or, in the case of a Member or a congressional employee, to the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, an amount equal to 3 percent of the readjustment allowance paid to the employee or Member under title VIII of the Economic Opportunity Service Act of 1964 or title I of the Domestic Volunteer Service Act of 1973 for each period of service as such a volunteer or volunteer leader."

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

"(A) the date of enactment of this subsection, or

"(B) the date on which the employee or Member making the deposit first becomes an employee or Member,

shall include interest on such amount computed and compounded annually beginning on the date of the expiration of the 2-year period. The interest rate that is applicable in computing interest in any year under this paragraph shall be equal to the interest rate that is applicable for such year under section 8334(e).

"(3) Any payment received by an agency, the Secretary of the Senate, or the Clerk of the House of Representatives under this subsection shall be immediately remitted to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Fund.

"(4) The Director shall furnish such information to the Office of Personnel Management as the Office may determine to be necessary for the administration of this subsection."

(c) APPLICABILITY AND OTHER PROVISIONS.—

(1) APPLICABILITY.—

(A) TIMING.—The amendments made by subsections (a) and (b) shall apply with respect to credit for service as a volunteer or volunteer leader under the Economic Opportunity Act of 1964 or the Domestic Volunteer Service Act of 1973 to individuals who are entitled to an annuity on the basis of a separation from service occurring before, on, or after the effective date of this subtitle.

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

(2) ACTION TO INFORM INDIVIDUALS.—The Director of the Office of Personnel Management shall take such action as may be necessary and appropriate to inform individuals entitled to credit under this section for service as a volunteer or volunteer leader, or to have any annuity recomputed, or to make a

deposit under this section, of such entitlement.

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER AMENDMENTS

SEC. 381. AUTHORIZATION OF APPROPRIATIONS FOR TITLE I

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

"SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS.

"(a) AUTHORIZATIONS.—

"(1) VOLUNTEERS IN SERVICE TO AMERICA.—There are authorized to be appropriated to carry out part A of title I, excluding sections 104(e) and 109, \$45,800,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

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

"(3) LITERACY ACTIVITIES.—There are authorized to be appropriated to carry out section 109, \$5,600,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

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

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

"(6) LITERACY CHALLENGE GRANTS.—There are authorized to be appropriated to carry out section 124, such sums as may be necessary for each of the fiscal years 1994 through 1996.

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

"(c) LIMITATION.—No part of the funds appropriated to carry out part A of title I may be used to provide volunteers or assistance to any program or project authorized under part B or C of title I, or under title II, unless the program or project meets the anti-poverty criteria of part A of title I.

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

"(e) VOLUNTEER SERVICE REQUIREMENT.—

"(1) VOLUNTEER SERVICE YEARS.—Of the amounts appropriated under this section for parts A, B, and C of title I, including section 124, there shall first be available for part A of title I, including sections 104(e) and 109, an amount not less than the amount necessary to provide 3,700 volunteer service years in fiscal year 1994, 4,000 volunteer service years in fiscal year 1995, and 4,500 volunteer service years in fiscal year 1996.

"(2) PLAN.—If the Director determines that funds appropriated to carry out part A, B, or C of title I are insufficient to provide for the years of volunteer service required by paragraph (1), the Director shall submit a plan to the relevant authorizing and appropriations committees of Congress that will detail what is necessary to fully meet this requirement."

SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR TITLE II

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

"SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.

"(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, \$37,054,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

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

"(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, \$32,509,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

"(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II, such sums as may be necessary for each of the fiscal years 1994 through 1996."

SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR TITLE IV

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

(1) by striking section 504;

(2) by inserting the following after section 502:

"SEC. 503. ADMINISTRATION AND COORDINATION.

"(a) IN GENERAL.—For each of the fiscal years 1994 through 1996, there are authorized to be appropriated for the administration of this Act as provided for in title IV, 15 percent of the total amount appropriated under sections 501 and 502 with respect to such year.

"(b) EVALUATION AND CENTER FOR RESEARCH AND TRAINING.—For each of the fiscal years 1994 through 1996, the Director is authorized to expend not less than one-half of 1 percent, and not more than 1 percent, from the amounts appropriated under sections 501 and 502, for the purposes prescribed in sections 416 and 426;" and

(3) by redesignating section 505 as section 504.

SEC. 384. CONFORMING AMENDMENTS; COMPENSATION FOR VISTA FECA CLAIMANTS.

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

SEC. 385. REPEAL OF AUTHORITY.

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

CHAPTER 5—GENERAL PROVISIONS

SEC. 391. TECHNICAL AND CONFORMING AMENDMENTS.

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

"SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

"(a) SHORT TITLE.—This Act may be cited as the 'Domestic Volunteer Service Act of 1973'.

"(b) TABLE OF CONTENTS.—The table of contents 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.

(B) to carry out investigative and audit functions and implement financial management controls regarding programs carried out by the Corporation after October 1, 1993, consistent with the Inspector General Act of 1978, including a specific description of—

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

(11) the manner in which grants made by the Corporation shall be audited by such Office and the financial management controls that shall apply with regard to such grants and programs.

(3) ACCOUNTABILITY MEASURES.—The business plan shall include a detailed description of the accountability measures to be established by the Corporation to ensure effective control of all funds for programs carried out by the Corporation after October 1, 1993.

(4) INFORMATION RESOURCES.—The business plan shall include a description of an information resource management program that will support the program and financial management needs of the Corporation.

(5) CORPORATION STAFFING AND INTEGRATION OF ACTION.—

(A) TRANSFERS.—The business plan shall include a report on the progress and plans of the President for transferring the functions, programs, and related personnel of ACTION to the Corporation, and shall include a timetable for the transfer. Not later than 9 months after the date of enactment of this section, the President shall identify all functions of ACTION to be transferred to the Corporation.

(B) DETAILS AND ASSIGNMENTS.—The report shall specify the number of ACTION employees detailed or assigned to the Corporation, and describe the hiring activity of the Corporation during the transition period.

(C) STRUCTURE.—The business plan shall include a description of the organizational structure of the Corporation during the transition period.

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

(1) measures to ensure adequate staffing during the transition period with respect to programs carried out by the Corporation after October 1, 1993; and

(11) the responsibilities and authorities of the Managing Directors and other key personnel of the Corporation.

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

(1) an explanation of the number of the employees of the Corporation who will be paid at or above the rate of pay for level 1 of the Senior Executive Service Schedule under section 5382 of title 5, United States Code; and

(11) information justifying such pay for such employees.

(6) DUPLICATION OF FUNCTIONS.—The business plan shall include a description of the measures that the Corporation is taking or will take to minimize duplication of functions in the Corporation caused by the transfer of the functions of the Commission on National and Community Service, and the transfer of the functions of ACTION, to the Corporation. This description shall address functions at both the national and State levels.

(c) DEFINITION.—The term "transition period" means the period beginning on October 1, 1993 and ending on the day before the effective date of section 202(c)(2).

TITLE III—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

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

"SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

"(a) TITLE I.—

"(1) SUBTITLE B.—

"(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I, \$45,000,000 for fiscal year 1994 and such sums as may be necessary for each of the fiscal years 1995 through 1996.

"(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year—

"(1) not more than 63.75 percent shall be available to provide financial assistance under subpart A of part I of subtitle B of title I;

"(11) not more than 11.25 percent shall be available to provide financial assistance under subpart B of part I of such subtitle; and

"(111) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle.

"(2) SUBTITLES C, D, AND H.—

"(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, to provide national service educational awards under subtitle D of title I, and to carry out such audits and evaluations as the President or the Inspector General of the Corporation may determine to be necessary, \$300,000,000 for fiscal year 1994, \$500,000,000 for fiscal year 1995, and \$700,000,000 for fiscal year 1996.

"(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year, up to 15 percent shall be made available to provide financial assistance under sections 125 and 126 and under subtitle H of title I.

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

"(4) ADMINISTRATION.—

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

"(B) LIMITATION.—For fiscal year 1994, the sums appropriated under subparagraph (A) shall not exceed 15 percent of the amounts appropriated to carry out subtitles B, C, D, and H of title I of this Act for such fiscal year. For each subsequent fiscal year, the sums appropriated under subparagraph (A) shall not exceed 10 percent of the amounts appropriated to carry out such subtitles for such subsequent fiscal year.

"(C) STATE COMMISSIONS AND CORPORATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year, up to 50 percent shall be made available to the State Commissions, and up to 50 percent shall be made available to the Corporation, for the administration of this Act.

"(D) TITLE III.—There are authorized to be appropriated to carry out title III \$5,000,000 for each of the fiscal years 1994 through 1996.

"(c) AVAILABILITY OF APPROPRIATIONS.—Funds appropriated under this section shall remain available until expended."

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

Subtitle B—Domestic Volunteer Service Act of 1978

SEC. 311. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This subtitle may be cited as the "Domestic Volunteer Service Act Amendments of 1993".

(b) REFERENCES.—Except as otherwise specifically provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Domestic Volunteer Service Act of 1978 (42 U.S.C. 4950 et seq.).

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

SEC. 321. PURPOSE OF THE VISTA PROGRAM.

The last sentence of section 101 (42 U.S.C. 4951) is amended to read as follows: "In addition, the objectives of this part are to generate the commitment of private sector resources, to encourage volunteer service at the local level, and to strengthen local agencies and organizations to carry out the purpose of this part."

SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUNTEERS.

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

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

(2) in paragraph (2), by striking "and" at the end;

(3) in paragraph (3), by striking "illiterate or functionally illiterate youth and other individuals";

(4) in paragraph (5), by striking "and" at the end;

(5) in paragraph (6)—

(A) by striking "the Headstart act, or the Community Economic" and inserting "the Head Start Act, the Community Economic";

(B) by inserting "or other similar Acts," after "1981,"; and

(C) by striking the period and inserting "and"; and

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

"(7) in strengthening, supplementing, and expanding efforts to address the problem of illiteracy throughout the United States."

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

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

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

(3) in paragraph (2) (as redesignated in paragraph (2) of this subsection), by striking "paragraph (7)" and inserting "paragraph (3)"; and

(4) in paragraph (3) (as redesignated in paragraph (2) of this subsection)—

(A) in subparagraph (A), by striking "paragraph (4)" and inserting "paragraph (2)";

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

(C) by redesignating subparagraphs (D) and (F) as subparagraphs (C) and (D), respectively; and

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

"(B) A sponsoring organization may recruit volunteers for service under this part, subject to final approval by the Director."

(c) PUBLIC AWARENESS AND RECRUITMENT.—Subsection (c) of section 103 (42 U.S.C. 4953(c)) is amended—

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

"(1)(A) The Director shall conduct national and local public awareness and recruitment activities in order to meet the volunteer goals of the program. In conducting such activities, the Director shall place special emphasis on recruiting volunteers for local, community-based programs that serve