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5/12/93

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WASHINGTON

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Meg Kosta 225-6060

Sifer 225-4527

Rasco - NSA memo

Debbie Schuff tickets 2605

BECERRA AMENDMENTS CONT'D

5. pg 53, line 14, add new (g) to read:

"(g) Probation and Punitive Action.- Upon the release of the evaluation established under this section (134), the Corporation shall place ~~(require within 30 days or leave to discretion of Corporation?)~~ all states not serving, in the estimation of the Corporation, a significant number of economically disadvantaged individuals, on probationary status;

The Corporation shall also place on probationary status states/state commissions which the evaluation shows have not allocated 50% of total amount of funds allocated to programs or projects operating in areas described in Sec. 133(e) or Sec. 133(c) (6).

Option A - Prescriptive

The Corporation shall notify states/state commissions placed on probation within 30 days of the release of the evaluation of their probationary status.

Within 60 days of the release of the evaluation, the Corporation shall provide to each state/state commission goals of percentage or number of economically disadvantaged individuals to be served within the program year in order to be removed from probationary status.

The state/state commission shall, within 60 days of being notified of being placed on probation, provide to the Corporation a strategic plan to increase the number of economically disadvantaged individuals being served and/or the percentage of programs taking place in areas described in Sec. 133(e).

The Corporation will review and approve or disapprove the state strategy and notify the state/state commission within 30 days of receiving the strategic plan. The state/state commission must submit a new strategic plan if the initial one has been rejected.

The Corporation may provide technical expertise and staff to assist the state/state commission.

Option B - General

Require Corporation to develop a plan and timetable to: notify the state/state commission of its being placed on probation; develop guidelines and timetable for states/state commissions to develop a strategic plan; establish a process to provide technical expertise and staff if necessary; establish a process to review and/or revise state strategic plans.

Track
lang. in
134

econ. dist.
areas

serve

distressed areas

and subsequent
impose punitive
action against

diverse individuals
may
take punitive
action against
states which
do not show
improvement
in serving
econ. disad.
individuals

English

BECERRA - Probation and Punitive Action Amendment Cont'd

Outcome (Following either Option A or B)

If within one year of being notified of its probationary status, the state/state commission has not, in the opinion of the Corporation, achieved the Corporation's goals for serving economically disadvantaged individuals, the Corporation is empowered to: reduce the size of both competitive and population grants awarded to state/state commission; and/or dissolve the existing state panel and require the Governor to appoint a new panel.

Amendment Offered by Mr. Ford of Michigan
To the Amendment in the Nature of a Substitute
To H.R. 2010

Page 29, strike lines 12 through 15, and insert the following:

1 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—Of
2 the funds appropriated under section 501(a)(2), and sub-
3 ject to the limitation in that section

Page 48, line 14, strike “or” at the end.

Page 48, line 17, strike the period at the end and insert “; or”.

Page 48 after line 17, insert the following:

4 “(F) areas that have an unemployment
5 rate greater than the national average unem-
6 ployment for the most recent 12 months for
7 which satisfactory data are available.

Page 57, line 13, insert “, or who are honorably discharged members of the Armed Forces of the United States” before the period.

*living
allowance*

Beginning on page 61, strike line 17 and all that follows through line 4 on page 62.

*educational
award*

Page 83, strike lines 13 through 23 (and redesignate references and succeeding subsections accordingly).

Beginning on page 163, strike line 21 and all that follows through line 2 on page 164, and insert the following:

- 1 “(10) INDIAN LANDS.—The term ‘Indian lands’
- 2 means—
- 3 “(A) any Indian reservation;
- 4 “(B) any public domain Indian allotments;
- 5 “(C) any former Indian reservation in the
- 6 State of Oklahoma;
- 7 “(D) any land held by incorporated Native
- 8 groups, regional corporations, and village cor-
- 9 porations under the Alaska Native Claims Set-
- 10 tlement Act (43 U.S.C. 1701 et seq.); and
- 11 “(E) any land held by dependent Indian
- 12 communities within the borders of the United
- 13 States whether within the original or sub-
- 14 sequently acquired territory thereof, and wheth-
- 15 er within or without the limits of a State.

SGE's

tent
clauses

conforming

Page 198, strike lines 17 through 20 (and redesignate references and succeeding paragraphs accordingly).

Page 200, line 8, strike "195(a)(3)(B)(i)" and insert "195(b)(3)(A)".

Page 210, line 6, strike "Each State office shall" and insert "Such State office may".

Page 211, strike lines 10 through 14, and insert the following:

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2) and subsections (b) and (c), the Chair-
3 person shall, in accordance with applicable provi-
4 sions of title 5 of the United States Code, appoint
5 and determine the compensation of such employees
6 as the Chairperson determines to be necessary to
7 carry out the duties of the Corporation.

Beginning on page 212, strike line 13 and all that follows through line 9 on page 215, and insert the following:

8 “(b) ALTERNATIVE PERSONNEL SYSTEM.—
9 “(1) AUTHORITY.—To the extent the Chair-
10 person determines it appropriate and desirable to
11 further the effective operation of the Corporation,

1 the Chairperson may designate positions in the Cor-
2 poration to which appointments may be made and
3 for which compensation may be determined without
4 regard to the provisions of title 5, United States
5 Code, governing appointments in the competitive
6 service, and without regard to the provisions of
7 chapter 51 and subchapter III of chapter 53 of such
8 title relating to classification and General Schedule
9 pay rates. The Chairperson may provide for
10 appointments to such positions to be made on a lim-
11 ited term basis.

12 “(2) APPOINTMENT IN THE COMPETITIVE
13 SERVICE AFTER EMPLOYMENT UNDER ALTERNATIVE
14 PERSONNEL SYSTEM.—The Director of the Office of
15 Personnel Management may grant competitive sta-
16 tus for appointment to the competitive service, under
17 such conditions as the Director may prescribe, to an
18 employee who is appointed under this subsection and
19 who is separated from the Corporation (other than
20 by removal for cause).

21 “(3) SELECTION AND COMPENSATION SYS-
22 TEM.—

23 “(A) ESTABLISHMENT OF SYSTEM.—The
24 Chairperson, after reviewing the rec-
25 ommendations of the Board under section

1 192A(h)(2), and after obtaining the approval of
2 the Director of the Office of Personnel Manage-
3 ment, shall issue regulations establishing a se-
4 lection and compensation system for employees
5 of the Corporation appointed under paragraph
6 (1). In issuing such regulations, the Chair-
7 person shall take into consideration the need for
8 flexibility in such a system.

9 “(B) APPLICATION.—The Chairperson
10 shall appoint and determine the compensation
11 of employees in accordance with the selection
12 and compensation system established under
13 subparagraph (A).

14 “(C) SELECTION.—The system established
15 under subparagraph (A) shall provide for the
16 selection of employees—

17 “(i) through a competitive process;
18 and

19 “(ii) on the basis of the qualifications
20 of applicants and the requirements of the
21 positions.

22 “(D) COMPENSATION.—The system estab-
23 lished under subparagraph (A) shall include a
24 scheme for the classification of positions in the
25 Corporation. The system shall require that the

1 compensation of an employee be determined in
2 part on the basis of the job performance of the
3 employee, and in a manner consistent with the
4 principles described in section 5301 of title 5,
5 United States Code. The rate of compensation
6 for each employee compensated under the sys-
7 tem shall not exceed the annual rate of basic
8 pay payable for level IV of the Executive Sched-
9 ule under section 5315 of title 5, United States
10 Code.

11 “(c) CORPORATION REPRESENTATIVE IN EACH
12 STATE.—

13 “(1) APPOINTMENT OF REPRESENTATIVE.—

14 The Chairperson shall, without regard to the provi-
15 sions of title 5, United States Code, governing
16 appointments in the competitive service, appoint an
17 employee to serve as the representative of the Cor-
18 poration for each State or group of States to assist
19 the Corporation in carrying out the activities de-
20 scribed in this Act in the State or States.

21 “(2) DUTIES.—The representative appointed
22 under this subsection for a State or group of States
23 shall serve as the liaison between—

*g. l. s. f.
pay?*

1 “(A) the Corporation and the State Com-
2 mission that is established in the State or
3 States; and

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

10 “(3) MEMBER OF STATE COMMISSION.—The
11 representative appointed under this subsection for a
12 State or group of States shall also serve as a voting
13 member of the State Commission established in the
14 State or States.

15 “(4) COMPENSATION.—

16 “(A) IN GENERAL.—The chairperson may
17 determine the compensation of representatives
18 appointed under this subsection without regard
19 to the provisions of chapter 51 and subchapter
20 III of chapter 53 of title 5, United States Code,
21 relating to classification and General Schedule
22 pay rates.

23 “(B) LIMITATION ON COMPENSATION.—
24 The rate of compensation for each rep-
25 resentative appointed under this subsection

1 shall not exceed the maximum rate of basic pay
2 payable for GS-15 of the General Schedule
3 under section 5332 of title 5, United States
4 Code.

5 “(d) CONSULTANTS.—The Chairperson may procure
6 the temporary and intermittent services of experts and
7 consultants and compensate the experts and consultants
8 in accordance with section 3109(b) of title 5, United
9 States Code.

10 “(e) DETAILS OF PERSONNEL.—The head of any
11 Federal department or agency may detail on a reimburs-
12 able basis, or on a nonreimbursable basis for not to exceed
13 180 calendar days during any fiscal year, as agreed upon
14 by the Chairperson and the head of the Federal agency,
15 any of the personnel of that department or agency to the
16 Corporation to assist the Corporation in carrying out the
17 duties of the Corporation under this Act. Any detail shall
18 not interrupt or otherwise affect the civil service status
19 or privileges of the Federal employee.

20 “(f) ADVISORY COMMITTEES.—

21 “(1) ESTABLISHMENT.—The Chairperson,
22 acting upon the recommendation of the Board, may
23 establish advisory committees in the Corporation to
24 advise the Board with respect to national service is-
25 sues, such as the type of programs to be established

1 or assisted under the national service laws, priorities
2 and criteria for such programs, and methods of con-
3 ducting outreach for, and evaluation of, such pro-
4 grams.

5 “(2) COMPOSITION.—Such an advisory commit-
6 tee shall be composed of members appointed by the
7 Chairperson, with such qualifications as the Chair-
8 person may specify.

9 “(3) EXPENSES.—Members of such an advisory
10 committee may be allowed travel expenses as de-
11 scribed in section 192A(e).

12 “(4) STAFF.—The Chairperson is authorized to
13 appoint and fix the compensation of such staff as
14 the Chairperson determines to be necessary to carry
15 out the functions of the advisory committee, without
16 regard to the provisions of title 5, United States
17 Code, governing appointments in the competitive
18 service, and without regard to the provisions of
19 chapter 51 and subchapter III of chapter 53 of such
20 title relating to classification and General Schedule
21 pay rates. Such compensation shall not exceed the
22 maximum rate of basic pay payable for GS-15 of
23 the General Schedule under section 5332 of title 5,
24 United States Code.

Page 216, beginning on line 2, strike the dash and all that follows through "(ii)" on line 8.

Page 217, strike lines 6 through 10 (and redesignate references and succeeding subparagraphs accordingly).

Page 220, strike lines 17 through 23 (and redesignate references and succeeding subsections accordingly).

J. L. Seavel

Page 225, strike lines 7 through 13, and insert the following:

1 (2) TRANSFER OF FUNCTIONS.—There are
2 transferred to the Corporation the functions that the
3 Director of the ACTION Agency exercised before
4 the effective date of this subsection (including all re-
5 lated functions of any officer or employee of the
6 ACTION Agency).

Page 227, at the end of line 10, insert the following:

7 shall be to positions in the Corporation subject
8 to section 195(a)(1) of the National and Com-
9 munity Service Act of 1990, as added by sec-
10 tion 202(a) of this Act, and

I20 Page 233, lines 2, 9, 17, and 20, strike
"1998" and insert "1996".

Page 233, line 15, insert “(including subtitle G)” after “Act”.

Page 247, strike lines 8 through 13, and insert the following:

1 **SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOL-**

2 **UNTEER PROGRAM.**

3 Section 201(a) (42 U.S.C. 5001(a)) is amended—

4 (1) in the matter preceding paragraph (1) by
5 striking “retired persons” and inserting “retired in-
6 dividuals and working older individuals”; and

7 (2) in paragraph (2)—

8 (A) by striking “aged sixty or over” and
9 inserting “55 years of age or older”; and

10 (B) by inserting “, and individuals 60
11 years of age or older will be given priority for
12 enrollment,” after “enrolled”.

Page 249, strike lines 4 and 5, and insert the following:

13 **SEC. 346. CONDITIONS OF GRANTS AND CONTRACTS.**

14 Section 212(a) (42 U.S.C. 5012(a)) is amended—

15 (1) by striking paragraph (1), and

16 (2) in paragraph (2)—

- 1 (A) by striking “(2)(A)” and inserting
- 2 “(1)”, and
- 3 (B) by striking “(B)” and inserting “(2)”.

Page 249, line 7, strike “Section 221(a)” and insert
“(a) PROMOTION.—Section 221(a)”.

Page 250, after line 7, insert the following:

- 
- 4 (b) MINIMUM EXPENDITURE.—Section 221(b)(3) (42
 - 5 U.S.C. 5021(b)(3)) is amended by striking “\$250,000”
 - 6 and inserting “\$500,000”.

Page 251, line 13, strike “of” and insert “under”.

Page 270, lines 19 and 23, strike “1998” and insert
“1996”.

Page 271, lines 3 and 7, strike “1998” and insert
“1996”.

Page 272, strike lines 8 through 11, and insert the
following:

- 7 years in fiscal year 1995, and 4,500 volunteer serv-
- 8 ice years in fiscal year 1996.

Page 273, lines 6, 11, 16, and 20, strike "1998"
and insert "1996".

Page 274, lines 3 and 9, strike "1998" and insert
"1996".

5738

Cover + 3
PAGES

TELECOPIER SHEET

EDUCATION OFFICE

COMMITTEE ON LABOR AND HUMAN RESOURCES

TO: JACK LEWCOMPANY: OFFICE OF NATL. SERVICEFAX NUMBER: () 456-6420FROM: TOM SANDERNOTES: Latest state of proposedKassebaum Substitute bill.

Return fax number: (202) 224-3533

If there are any problems with this transmission, please call
(202) 224-5501.

ELEMENTS OF A NATIONAL SERVICE PROPOSAL

1. PROBLEM AREA: Use of limited educational dollars as part of National Service

RECOMMENDATION: Set aside funds and mandate the Corporation for National Service to conduct demonstrations on various educational and other incentive post-service benefits as part of national service; require report to Congress after 2 years to determine if educational or other post service benefits are a necessary element in successful national service programs, and if so, which model works best.

2. PROBLEM AREA: Creation of large bureaucratic structure to administer the Administration's national service proposal--transferring existing federal programs and imposing an umbrella type administrative structure--rather than a true transformation of programs into a more comprehensive, flexible whole.

RECOMMENDATION: Streamline the structure of the Corporation and collapse all appropriate federal national service and domestic volunteer type programs under the Corporation--create a "pass through" mechanism which will allocate the majority of the federal funds for national service* and domestic volunteer services** to state commissions where community needs can be better identified and resources allocated; increase the autonomy of the State Commissions in terms of administrative structure, program priorities, and other local operational activities, while maintaining program and fiscal accountability

* National service - full time commitment for 1 year of service or part time for a 2 year service commitment, at least minimum wage stipends, 1 re-enrollment permitted for up to 2 years of full time service, 4 years of part time, health care and child care benefits provided when needed by participant

**Domestic volunteer service = part time participation (can include summer only programs, minimum wage or lower stipends, variable commitment dependent upon specific task, not to exceed 6 month intervals, unlimited re-enrollment can be used to assure continuous service if volunteer requests, limited work related expenses reimbursed.

3. PROBLEM AREA: National service cost and rate of expansion in out years is too rapid -- 10 fold increase over 4 years anticipated (15,000 to 150,000)

RECOMMENDATION: By folding in more of the existing national service and domestic volunteer services into Corporate structure the base is expanded to an estimated 20,000 participants in national service, increase to 30,000 year 1, 50,000 year 2, 75,000 year 3, 100,000 year 4 - a 5 fold increase in four years.

Eliminating a mandatory educational benefit for national service participants will cut initial costs and it is hoped that through demonstration and experimentation, the Corporation can identify the most efficient types of and mechanisms for implementing post service benefits which should garner long term cost savings.

Additionally, transforming all appropriate national service programs into national service positions with equal benefits and commitments, and blending domestic volunteer service programs, (1) eliminates competition between federal program for scarce discretionary dollars and (2) decreases overall costs, by lowering administrative costs on the state and federal level, and subsuming the program appropriations for those programs into the overall costs of the Corporation--rather than as additional federal national service costs to fund narrowly defined, categorical programs.

EXPLANATORY NOTES: Programs to be merged into the Corporation for National Service, by program type

National Service (FY93 appropriations)

Conservation and Youth Service Corps (\$21.5 mill)
National Service Demonstration Projects (\$20.1 mill)
VISTA (\$34.7 mill)
VISTA Literacy Corps (\$5 mill)
Civilian Community Corps (\$20 mill)
Innovative Projects for Community Service (1.4 mill)

Domestic Volunteer Services

Serve America (16.3 mill)
Higher Education Innovative Programs (\$5.2 mill)
Student Community Service (\$.9 mill)
ACTION Drug Alliance (\$.9 mill)

Retired Senior Volunteer Program (\$33.7 mill)
Foster Grandparent Program (\$64.8 mill)
Senior Companion Program (\$29.5 mill)
Student Literacy Corps (\$5.3 mill)
Urban Community Service (\$9.4 mill)
Youth Conservation Corps (\$1-3 mill)
Points of Light (\$5 mill)

Campus Based

SEOGs, work study and perkins proposed to combine -- proposed
cutting 200 overall -- restored 130 of that

Restorations ins labor/hhs mark-up -- we understand sand we are
working with them to make increases --

Sogs 555 million
we proposed 500

55

work study 586
527

61

perkins 158
144

14

128 increase from request

State student incentive grants -- zero -- \$63 million

don't have overall numbers

Pell at request level -- shortfall only funding 415 million

THE WHITE HOUSE
WASHINGTON

FAX COVER SHEET

To: Jack

Fax: 6420

From: Shirley Sagawa

Phone: (202) 456-2599

Date: 6/14/93

Pages: 3 (including cover sheet)

Comments:

Check + see if this is still accurate
for the Senate —

INFORMATION SHEET ON PERSONNEL STRUCTURE OF THE CORPORATION

In an effort to streamline the bureaucracy and "reinvent government" through a flexible and accountable structure to administer federal national and community service programs, the President has proposed a new Corporation for National Service, combining the existing ACTION agency and Commission on National and Community Service. The structural goals of the new Corporation are:

- to operate based on the best management principles of the private sector while providing the kind of accountability expected of a government entity; and
- to attract the best people from two existing agencies and elsewhere, including the private sector, and place them in the positions for which they are most qualified.

To achieve these goals, the new Corporation, as proposed to be amended, does the following:

- allows for employment decisions being based on ability;
- provides for a flexible structure so functions of the two existing agencies may be combined when efficient and the staff reorganized if appropriate;
- creates a merit pay system; and
- provides for the leadership of the Corporation to be appointed by and accountable to the President, and therefore to Congress.

However, there is a need to balance these goals with a fair and humane personnel policy. All employees of the Corporation will:

- be eligible for federal health benefits and Civil Service retirement (plan determined based on number of years of federal service, as under current law); and
- be able to count service at the Corporation towards years of service for purposes of future competition for civil service positions.

Therefore, the President's proposal allows for the following additional provisions with respect to ACTION personnel:

For at least one year following date of enactment:

- job protection for all ACTION employees;

- any ACTION employee will be guaranteed fair consideration for any position in the Corporation, and if hired, will serve based on the more flexible personnel rules of the Corporation.

After one year or up to eighteen months after the date of enactment:

- ACTION employees working with the VISTA and Older American Volunteer Programs, and any other employees whose functions are transferred to the new Corporation, will become employees of the Corporation, retaining their civil service status for the duration of their service in the transferred position or any position to which they are promoted.
- Any ACTION employee not transferred and not otherwise hired by the Corporation will be given the option of an attractive early retirement package (if they are close to retirement) or preferential hiring within the civil service and aggressive outplacement assistance.
- Any ACTION employee not employed by the Corporation may file a grievance to have his or her case reviewed.

Campus Based

SEOGs, work study and perkins proposed to combine -- proposed cutting 200 overall -- restored 130 of that

Restorations ins labor/hhs mark-up -- we understand sand we are working with them to make increases --

Sogs 555 million
we proposed 500

work study 586
527

perkins 158
144

128 increase from request

State student incentive grants -- zero -- \$63 million

don't have overall numbers

Pell at request level -- shortfall only funding 415 million

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456-6420

TO:

Jack Lew

FROM:

☐ Randel K. Johnson, Labor Coordinator
☒ Kathleen M. Gillespie, Labor Counsel
☐ Gary L. Visscher, Professional Staff Member
☐ Karen A. Wayson, Staff Assistant

DATE:

10 June 1993

If there is a problem with this transmission, please call (202) 225-7101.

COMMENTS:

F:\M\GOODLING\GOODLI.134

H.L.C.

**AMENDMENT OFFERED BY MR. GOODLING
TO THE AMENDMENT IN THE NATURE OF A
SUBSTITUTE OFFERED BY MR. FORD**

Page 78, line 20, insert before the semicolon the following: "or an unsubsidized loan pursuant to section 428H (20 U.S.C. 1078-8)".

Page 82, beginning on line 6, strike out paragraph (6) and insert the following:

1 “(6) MAXIMUM AWARD NOT TO EXCEED FINAN-
2 CIAL NEED.—The portion of an eligible individual's
3 total available national service educational award
4 that may be disbursed under this subsection for any
5 period of enrollment shall not exceed \$5,000, and
6 shall not, when combined with any other student fi-
7 nancial assistance available to the individual, exceed
8 the student's financial need as determined under
9 part F of title IV of the Higher Education Act of
10 1965.

Modification of Personnel Provisions

1. Provide for the transfer of all functions and personnel of the ACTION Agency to the Corporation for National Service.

Amend section 302(c)(2) to provide for the transfer of "the functions" of the ACTION Agency to the new Corporation, rather than "such functions of the ACTION Agency as the President determines to be appropriate."

2. Provide that employees transferred to the new Corporation shall not be reduced in grade or pay for 1 year after the date of their transfer. [This is presently in the Administration's bill.]

3. Provide that all Federal employees transferred to the Corporation shall remain covered by the civil service system (i.e., competitive service, classification, and compensation) for the duration of their employment with the Corporation.

4. Create a new Corporation personnel system for a period of 5 years. Provide that, for a period of 5 years, all employees newly hired by the Corporation will be under a personnel system established by the Corporation by regulation, in consultation with OPM, which sets forth criteria for selection and compensation of personnel. [As presently proposed by the Administration for the entirety of the Corporation.]

5. Provide that any employee hired into the Corporation's new personnel system who has been continuously employed by the Corporation for a period of not less than 3 years shall be converted to competitive service status.

6. Provide that, upon the expiration of the 5 years set for operation of the Corporation personnel system, all individuals employed under that system would have their service under the system counted as a period of service in the competitive service. That is, absent an extension of the personnel system authority all employees, including those hired under the new authorities, would be covered by civil service/competitive service statutes and regulations.

June 10, 1993

Thursday

Schedule for Eli J. Segal

8 AM	8:30am PHONE CALL FROM JIM KING (OPM)	3 PM	3:15pm Cong. Karen English (1024L) 3:30 Senate 342050B
9 AM		4 PM	
10 AM	10:00am Domestic Policy Council Mtg (Roosevelt Rm)	5 PM	
11 AM		6 PM	
12 PM		7 PM	
1 PM	1:00pm Cong. Matt Martinez (2231R) 1:30pm Cong. Lynn Woosley (439C) 2:00pm Steve Reed	8 PM	
2 PM	2:30pm Cong. Steve Gunderson (2235R)	9 PM	



DEPARTMENT OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

OFFICE OF THE SECRETARY

May 28, 1993

MEMORANDUM TO: Eli Segal
Rick Allen
Jack Lew

Enclosed are a letter which I sent to Tony Kline today, and copies of two letters which he gave me. I think we should talk about the DOT question raised in the two letters, and see about following up with DOT and Mineta and Pelosi on it.

A handwritten signature in dark ink, appearing to read "Peter".

Peter B. Edelman
Counselor to the Secretary



May 28, 1993

J. Anthony Kline
Presiding Justice
Court of Appeal
State of California
Marathon Plaza - South Tower
303 Second Street, Suite 600
San Francisco, California 94107

Dear Tony:

It was nice to see you and especially good to have a chance to talk in Los Angeles the other day. I am enclosing the bill, as introduced. I think you will see that it answers most of the concerns you have about the bill itself. In terms of using other Federal legislation to leverage additional National Service activities, I will pursue the ideas we discussed. I would stress, however, that these ideas are cumulative. They are supplemental to, and not a substitute for, the basic National Service legislation. We need "both and," not "either or." We need to get the basic bill enacted, and we need any and all ways to get a "multiplier effect." As I told you, we are working on a number of such ideas within the Department of Health and Human Services, and I undertook, earlier this spring, a series of visits to all of the Cabinet departments to encourage exactly the kind of creative thinking you advocate.

I hope this is helpful. I know you agree that it is not in anybody's interest to have public disagreements that are based on misunderstandings or inadequate communication.

All the best.

Sincerely,

A handwritten signature in cursive script, reading "Peter", is written over the typed name.

Peter B. Edelman
Counselor to the Secretary

cc: Eli Segal
Rick Allen
Jack Lew

Congress of the United States

House of Representatives

Washington, DC 20515

March 31, 1993

Honorable Federico Peña
Secretary, United States
Department of Transportation
Washington, D.C. 20590

Dear Mr. Secretary:

Last year, we worked together in an attempt to gain approval in Congress to utilize existing federal funds for public works and environmental restoration projects to provide training for at-risk youth in America. Since our success with the previous administration was limited, we are writing to bring this proposal to your attention, and to enlist your support.

The idea behind our efforts was to integrate significant numbers of at-risk, out-of-school teenage youth into the mainstream of society. Our efforts have been encouraged by President Clinton's commitment to our nation's young people, particularly the attention he has devoted to underprivileged youth. We agree with the President that the best investment we can make in our future is an investment in our young people. Youth service and conservation corps are ideal avenues for such an investment.

Models of such youth service programs have emerged during the last several years and have met with great success, particularly in the State of California. One of the purposes of the National and Community Service Act is to provide "young people" opportunities for employment in public service work that "help(s) meet human, educational, environmental and public safety needs." A copy of our proposed report language to HR 5753, to make technical corrections to the Federal Transit Act and the Intermodal Surface Transportation Efficiency Act of 1991, is enclosed for your review. Since the legislation was not approved by the Senate, we are renewing our efforts this year.

Your office is authorized to utilize up to \$10 million per fiscal year for highway skill training and improvement programs from the Secretary's administrative expenses. One means to demonstrate support by the Department of Transportation for training youth in public works projects would be to utilize a portion of these funds, according to your discretion. We urge you to consider applying these funds toward the training and participation of youth corps in transportation and other construction projects.

March 31, 1993

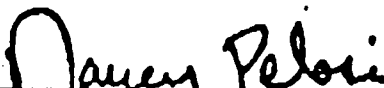
Page Two

We hope you will support our proposal and release funds to allow deserving youth corps participants the opportunity to develop additional training and skills to prepare them for a rewarding future.

Thank you very much for your consideration of our request. We appreciate the interest and support you have demonstrated on behalf of youth in America. We look forward to working with you to include at-risk youth at every possible level to better integrate this group of young adults into our society.

Sincerely,



Norman Y. Mineta, M.C.

Nancy Pelosi, M.C.



STATE OF CALIFORNIA
Court of Appeal

FIRST APPELLATE DISTRICT
DIVISION TWO
MARATHON PLAZA - SOUTH TOWER
303 SECOND STREET, SUITE 600
SAN FRANCISCO, CA 94107

J. ANTHONY KLINE
PRESIDING JUSTICE

TELEPHONE
(415) 396-8770

January 29, 1993

Eli J. Segal
Director
White House Office of National Service
Executive Office Building
Washington, D.C. 20500

Dear Mr. Segal:

I am writing as Chairman of the Board of Directors of the San Francisco Conservation Corps, which I founded about a decade ago together with then Mayor Dianne Feinstein. I have helped establish similar organizations throughout California and elsewhere in the nation and have been associated with most of the national organizations advancing the idea of national service in recent years, such as Youth Service America, the National Association of Service and Conservation Corps and Public/Private Ventures.

My purpose is to persuade you that what are known in California as "community conservation corps" provide a distinctive model for youth service that should receive strong support from your office. Given the constraints of the federal budget, there is one particularly attractive feature of this model: it can be significantly expanded at no additional cost.

Enclosed herewith is a report on the SFCC that, although a little out-of-date, provides a good quick idea of what a community conservation corps looks like and does. (The statutory definition of a "community conservation corps" is also enclosed.) As you will see, such corps rely for financial support primarily upon work contracts involving public service work at the local level. A significant amount of these contracts, related to recycling activities, utilize funds generated under the state Beverage Container Recycling Act. That state legislation, enacted in 1986, is one of the reasons community conservation corps now exist in every major California city.

I have for several months been discussing with Congressman Norm Mineta (and other California Congressman, as well as Senators Boxer and Feinstein) the possibility of replicating the California model on the national level by

Eli J. Segal
January 29, 1993
Page Two

directing a relatively small portion of certain federal public works contracts to "youth corps programs," which are the federal analog of "community conservation corps." As you may be aware, a "youth corps program" is defined in the National and Community Service Act of 1990 as "a conservation corps or youth service program, that offers full-time productive work . . . with visible community benefits in a natural resource or human service setting and that gives participants a mix of work experience, basic and life skills, education, training and support services." (42 U.S.C. § 12511(29).)

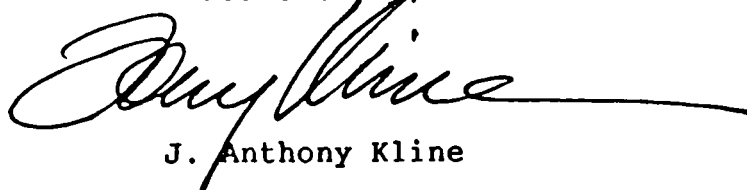
Congressman Mineta, who as Chairman of the House Public Works and Transportation Committee is of course crucial to the success of this idea, has indicated to me and others that he will be supportive, provided the administration is willing to incorporate the idea as a part of its concept of National Service or in other measures that come before his Committee. Senator Boxer, who is a member of the Senate Committee that passes on public works issues, has indicated she too will be supportive.

Due to the bi-partisan consensus in support of public works, this is among the few expenditures that will be increased by the present Congress. What we are proposing is that these funds, which will be appropriated in any event, can at the same time support an important form of youth service that not only improves the quality of the urban environment, but provides a socializing experience for inner-city youth not served by most other forms of national service.

If, as I hope, you and the administration are interested in this idea, I would be most eager to pursue it with you further, as there are significant details that require further discussion.

I very much look forward to hearing from you.

Yours truly,

A handwritten signature in black ink, appearing to read "J. Anthony Kline", with a long horizontal flourish extending to the right.

J. Anthony Kline

cc: Congressman Norman Mineta
Senator Barbara Boxer

X

§ 14507.2 Community Conservation Corps

"Community Conservation Corps" means a nonprofit public benefit corporation formed or operating pursuant to Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporation Code, or an agency operated by a city, or city and county, which is certified by the California Conservation Corps as meeting all of the following criteria:

(a) The corps consists of not less than 50 corpsmembers organized in the form of supervised work crews and selects young men and women for participation on the basis of the criteria specified in Section 14302.

(b) The corps' program is based upon a highly disciplined work experience, includes an educational component, and is designed to develop corpsmembers' character and civic consciousness through rigorous work on public projects.

(c) The corps compensates corpsmembers at not less than the federal minimum wage, and provide corpsmembers assistance in obtaining permanent employment following their participation in the corps program.

(d) The corps engages in recycling and litter abatement projects as well as projects which accomplish the conservationist and other purposes described in subdivisions (a) to (h), inclusive, of Section 14300, and which assist agencies of local government and other nonprofit community organizations in developing, rehabilitating, and restoring parklands, recreational facilities, and other community resources.

(Added by Stats.1986, c. 1290, § 2, eff. Sept. 29, 1986. Amended by Stats.1988, c. 170, § 5)

Corporation for National Service

ACTION Personnel Issues

All ACTION personnel will fall into one of three categories after the Corporation is established:

- (1) employees who come to the Corporation through a formal transfer of function
- (2) employees who are hired by the Corporation under the new personnel system
- (3) employees who are not hired by or transferred to the Corporation who will have outplacement assistance

Policies Applicable to Former ACTION Personnel

- (1) ACTION personnel who are transferred will retain civil service status for the duration of their service in the transferred position.
- (2) All Corporation employees will be covered by Civil Service retirement and health plans.
- (3) Limitations on service for non-tenured Corporation employees are flexible and can accommodate the needs of present ACTION employees who are approaching retirement.
- (4) Outplacement assistance will be provided to ACTION employees who are neither transferred to the Corporation nor hired to fill other Corporation positions.
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Jack ~~Eff~~ - Have the questions
from Kassebaum (p. 2 was
missing earlier) .
Susan

Additional questions from Senator Nancy Landon Kassebaum for witnesses testifying before the Senate Labor and Human Resources on the National Service Trust Act

For Bruce Babbitt, Secretary of the Interior:

1. President Clinton included \$394 million for the national service program in the investment proposal portion of the budget he presented to Congress. How does the proposal fit into the overall budget and the Congressional spending limits? Is this spending to be added to the budget deficit?
2. The President has recommended no increase in the Pell grant program, which has been severely under-funded for several years, and a cut in the work-study program which has helped many students earn their way through college. For the funds requested in this proposal, many more students could get help paying for education and training through the Pell grant program, the Perkins Act, and other existing federal programs. In light of that, is the creation of a national service program to pay for educational expenses the best use of our limited education dollars?
3. The rhetoric surrounding this legislation emphasizes national service to pay for college educations. Secretary Reich recently stated that only 25% of those entering the work force in the next century will need a college education, while the other 75% will need highly technical skills training. How does this legislation meet the needs of non-traditional students and people who want technical skills training?

For Catherine Milton - Executive Director, Commission on National and Community Service

1. In January of this year your staff prepared a paper entitled "Growth and Cost Scenario for National Service" for Board discussions by the Commission on National and Community Service. I found this document to be a very thoughtful and thorough examination of the potential for expanding national service programs. I would like to ask several questions based on a comparison between that document and the Administration's proposal.
- The document presents a three year development period for a national service network--requiring a "dramatic growth rate, averaging about 50% annually." I am concerned about the rate of expansion proposed by the Administration--starting with 25,000 participants in the first year, increasing by 100% the second, an additional 50% the third, and 33% the fourth year. How can a program expand so rapidly and maintain the quality which has exemplified the current programs of the Commission?

Key will be infrastructure - if quality not there, we will
show growth. Purpose is to be. True challenge is to be. ext. repres.
what is not working - expand what is

- * In the staff paper there is much discussion about folding in and building upon many existing federal programs including work-study, JTPA, Peace Corps, National Health Service Corps, welfare transition programs. This legislation does not attempt to incorporate these programs into the national service program--or to link them in any way. Do you believe that an expansion of national service which incorporates these types of federal programs is feasible?
- * In the staff paper, the program costs for an expansion of national service to include 100,000 participants is calculated to be \$1.6 billion, \$2.1 billion if non-federal costs are added in. The administration's proposal will cost \$3.4 billion by the fourth year--with 100,000 participants. Naturally, as a fiscal conservative, I like your costs better. If some or all of the strategies identified in the staff paper are implemented, can the costs of national service be significantly lowered?
- 2. The Commission was established to "experiment" with various models of national service--and has been very successful in implementing a wide variety of community service programs. Has the Commission determined that the model of national service embodied in this legislation is the most effective method of achieving the goal of cultivating a life-long commitment to service? Is there any documentation to support that assumption?

who is chairing hearing

sofer 5/12/93

lillian fernandez said that there was interest in the administration to move before memorial day

Riley wanted to know that Goals 2000 is still on track

Paster

David Jones over Dick Monroe would be fine
If Dick Monroe is set up, would take David Jones also

If Monroe is not done would prefer substitute

Check with Stephanie Soline

Gerne has sold pat that this is a winner and that it is shaping up as not a bloody fight that would require a lot of energy

uses of benefits

percentage set aside for low income students

Cleo Fields -- role

Chris Shays -- role / told staff it was easier to have Chris Shays testify with a democrat than alone

McCurdy appears to be unable to testify in NY can Committee change hearing -- will find out if going last is possibility

McCurdy bent out shape/ not recruiting other co-sponsors have only one Texas democrat

how many -- 160 plus

???

Martin Frost

Wilson

Brooks

de la Garza

groups producing noone

City Year -- five demos

Chris Dougherty is Washington rep

Oliver

Neal

Mehan

Markey

Moakley

Solter

Harkin/Paster

Natcher seemed ok wanted to know what Harkin thought about it
has conversation taken place

Stokes making good run

Obey is fishing around because of his desire to assume
chairmanship of subcommittee in future

Dick Malow is doing reconaissance and bucking up Stokes

Probably will happen next weekv

April 29, 1993

Paper

Robert { transmittal letter

fact sheet

two outlines

Jack { Kilgore

Romer

SS A/B List on State Commissions

Jack Parliamentarians

Print and Disk for OMB

Tom Glynn Apprenticeship language from DoL

Jack Veterans

Russ Gore

Draft bill 2x bond and 10 copies

Knisely back up materials

SS { Cost back-up materials

✓ Examples

Speech graphs:

Vets

Pell grants

police

business

Jack Cal Johnson re labor

Jack Hilley

Bill McGathern (Clerk's Office) 2226

SS { Kevin Kelley/Peter Edelman ok

SS { COPM

Possible Amendment to H.R. 2010
(Allowing some service programs without educational awards)

Currently Section 148(g) reads:

EXCEPTION-- With the approval of the Director, an approved national service program funded under section 121 may offer participants the option of waiving their right to receive a National Service Education Award in order to receive an alternative post-service benefit funded by the program entirely with non-Federal funds.

This section could be amended also to include:

With the approval of the Director and at the request of the program, the participants of an approved national service program may be provided no educational awards. No more than X people may participate in programs whose participants are not provided educational awards. [Participants in no more than Y programs shall be provided no educational awards.]

A study of both programs offering no awards and programs offering alternative post-service benefits could also be required:

The Corporation shall conduct a study of the effect of the national service educational awards and other post-service benefits on the recruiting experience of national service programs. Within two years, it shall recommend to the Corporation and Congress whether any change in the value or structure of the educational award is warranted.

Issues to consider:

- Limits on size of exception
- Terms of offering exception
- Scope of study

SUMMARY OF PROPOSED CHANGES TO THE NATIONAL SERVICE TRUST ACT

- * Add a provision to the purposes section regarding the empowerment of the residents of low-income communities. [page 4 of the Substitute.]**
- * Add to findings that residents of low income communities can be empowered through service. [page 4 of the Substitute]**
- * Add that citizens of U.S. with disabilities are encouraged to do service. [page 5 of the Substitute]**
- * Add to purposes section the expansion and strengthening of existing service programs with demonstrated experience in providing visible benefits to community through structured service programs. [page 5 of the Substitute]**
- * Federal agencies receiving assistance must consult with state commissions to ensure that projects they undertake aren't duplicative. [page 8 of the Substitute]**
- * Adds youth with varied developmental capabilities to description of possible community corp participants. [page 11 of the Substitute]**
- * Modify definition of youth corps to include full-time, year round, or full-time summer service. [page 11 of the Substitute]**
- * Clarify that community corps need not be full-time. [page 11 of the Substitute]**
- * Definition of disadvantaged youth amended to include youths becoming too old for foster care, of limited English proficiency, who are homeless, and others. [page 12 of the Substitute]**
- * Potential recipients of challenge grant funds must have demonstrated experience. [page 13 of the Substitute]**

-2-

- * Adds youth with disabilities to description of service program that addresses housing needs and need for community facilities. [page 15 of the Substitute]
- * Adds "trains" to function of professional corps programs. [page 15 of the Substitute]
- * Adds program administered by not-for-profits in low income areas that provide opportunities for individuals to engage in community projects that meet unmet local needs. [page 16 of the Substitute]
- * Clarifies that the Corporation must consult with organizations and individuals with extensive experience in developing and administering programs as opposed to experts. [page 17 of the Substitute]
- * Strengthen the language re: intergenerational programs. [page 18 of the Substitute]
- * Encourages intergenerational components in all service programs. [page 18 of the Substitute]
- * Provide that the Corporation "shall" provide technical assistance to entities wishing to develop national service programs or to apply for assistance under the Act. [page 23 of the Substitute]
- * Limits the maximum amount of assistance that can be provided to a State Commission to \$300,000. [page 23 of the Substitute]
- * Provide for a reservation of 1% of the funds allocated under the Act for distribution to the territories on a competitive basis and an additional reservation of 1% of the funds for distribution on a competitive basis to Indian tribes. [page 27 of the Substitute]
- * Cap the amount of funds that the Federal government may be awarded at one-third of the one-third of the appropriation that the Corporation awards directly. [page 30 of the Substitute]

-3-

- * Provides that states describe the process and criteria by which programs are selected unless such a process conflicts with state law, policy, and regulation. [page 31 of the Substitute]
- * Clarifies that recipients of Federal funds not increase their reliance of those funds. [page 33 of the Substitute]
- * Clarify the language regarding consultation with community-based agencies and labor organizations to provide that such consultation is required only if such entities exist in the area to be served. [page 41 of the Substitute]
- * Provide for broad based input in design, recruitment, labor organizations and community-based agencies where they exist. [page 41 of the Substitute]
- * Allow recipients of assistance to conduct an internal evaluation of their program. [page 42 of the Substitute]
- * Provide that the performance goals and evaluation methods developed by the applicants for assistance under the Act are subject to review and approval by the Corporation. [page 43 of the Substitute]
- * The Corporation may specify to applicants that are states or subdivisions of states that a specific percentage of participants be selected from a national leadership pool, unless doing so conflicts with state law. [page 45 of the Substitute]
- * Enhance the role of young people and other participants and community residents in program design. [page 47 of the Substitute]
- * Clarify the definition of "areas most in need" to include to include "rural areas adversely affected by unfair trading practices of international competitors of the United States." [page 48 of the Substitute]

-4-

- * Adds areas adversely affected by Federal actions related to management of Federal lands that result in significant regional job losses to areas in economic distress. [page 48 of the Substitute]
- * Require that 50% of the program funds flowing to the States (both by competition and by formula) must be spent on programs in areas of "economic distress" or on Federal or other public lands to address unmet human, educational, environmental or public safety needs and a priority must be placed on the recruitment of individuals who are residents of the areas of economic distress. [page 50 of the Substitute]
- * Add a provision requiring the Corporation to arrange for an independent evaluation of the national service program to determine the level of participation of economically disadvantaged individuals. [page 52 of the Substitute]
- * Waiver of the GED requirement if individual demonstrates an "ability to benefit" or if the individual is independently assessed to be incapable of completing a GED. [page 54 of the Substitute]
- * Allow full-time college students to fulfill their service requirement as a part-time participant from 2 years to 3. [page 59 of the Substitute]
- * Provide that the minimum health care standards established by the Corporation may not require religious organizations to provide health benefits that are inconsistent with their religious tenets. [page 64 of the Substitute]
- * Include as a demonstration program the idea of allowing individuals eligible to receive an educational award to transfer that award to a member of their immediate family. [page 74 of the Substitute]
- * Recipients of aid under section 121 must provide auxiliary aids and services to qualified individuals with a disability (conforms to the Americans with Disabilities Act). [page 65 of the Substitute]

-5-

- * Allow students to specify to the Corporation which of their loans should be paid off first (e.g. higher interest loans first). [page 77 of the Substitute]
- * Clarify that the educational award may be used for full and part-time educational programs. [page 79 of the Substitute]
- * Community partners must have demonstrated expertise and have been in existence for one year to participate in local partnerships that promote service learning. [page 80 of the Substitute]
- * Clarify language in the Serve-America program to provide that the money flows to the State Educational Agency. [page 89 of the Substitute]
- * Provides that application by community based agencies need not have projects with teams if the team concept is inappropriate. [page 121 of the Substitute]
- * Creation of a Public Lands Corps within the Departments of Interior and Agriculture to provide an administrative apparatus to operate a corps should the Federal government receive funds under the Act. [page 153 of the Substitute]
- * Clarify the definition of community-based agency to specify that it includes a church or other religious entity. [page 162 of the Substitute]
- * Defines school-age youth to include the definition of a child with a disability as defined by the Individuals with Disabilities Education Act. [page 166 of the Substitute]
- * Set minimum of State Commission membership at 15. Adds several required members. [page 183 of the Substitute]
- * Provide that the chief State school officer must be a voting member of the board of the State commission. [page 185 of the Substitute]

-6-

- * **Require the Board of the Corporation to hold periodic public meetings. [page 188 of the Substitute]**
- * **Ensures that preparation of the state plan is developed through an open and public process such as regional forums and hearings. [page 188 of the Substitute]**
- * **Adds the duty of the State Commission to provide recommendations to the corporation with respect to priorities for programs receiving assistance under the Domestic Volunteer Service Act. [page 189 of the Substitute]**
- * **Set a minimum of 15 members for Corporation Board. [page 194 of the Substitute]**
- * **Provide for changes in composition and duties of Board of National Service Corporation including elimination of the provision grandfathering 8 members of the Board of the Commission on National Service and Community Service onto the new Board. [pages 194-195 of the Substitute]**
- * **Extends terms of board members to 5 years. [page 196 of the Substitute]**
- * **Allows the chairperson to call meetings. [page 197 of the Substitute]**
- * **Modifies authorities of the board. Board can review actions of Chairperson with respect to grants; review actions taken by Chairperson with respect to reports issued by the corporation's inspector general; review the evaluation of programs and arrange for research with respect to national service programs. [page 199-201 of the Substitute]**
- * **Allows the Chairperson to terminate payments and positions pursuant to the national service laws. [page 202 of the Substitute]**

-7-

- * Clarify role and status of Inspector General. [page 208 of the Substitute]
- * The Inspector General reports directly to the Chairperson. [page 208 of the Substitute]
- * Require the Corporation to establish an office in each State. [page 210 of the Substitute]
- * Directs the Corporation to establish and maintain state field offices. The duties of such offices are to provide support and technical assistance and program monitoring. The State Office must be directed by the State Corporation Representative designated under section 195(b)(1). [page 210 of the Substitute]
- * Eliminate the provision in the bill limiting the tenure of employees of the Corporation for National Service to 5 years and provide that all employees of the Corporation are entitled to full civil service protections. [page 211 of the Substitute]
- * Bring employees of the Corporation into the civil service. [page 211 of the Substitute]
- * Directs the Managing Director primarily responsible for federal programs to appoint two assistant directors, one for VISTA and one for the National Senior Volunteer Corps. [page 211-212 of the Substitute]
- * Clarify that as a government entity the Corporation may solicit, receive, and dispose of gifts, bequests, and constitutions. [page 212 of the Substitute]
- * Require the Corporation to establish written rules regarding the solicitation, acceptance and use of private donations. [page 217 of the Substitute]
- * Package of programmatic changes to the Domestic Volunteer Service Act.

OLDER AMERICAN VOLUNTEER PROGRAMS (OAVP) AMENDMENTS IN SUBSTITUTE TO H.R. 2010

Membership on State Commissions: Requires that one member of each State Commission have experience with older American volunteers.

Retention of State Office Field Structure: Requires that the Corporation on National Service retain an office in each state.

Retention of an OAVP Officer within the Corporation for National Service: Requires the Managing Director for Federal Programs to appoint an Assistant Director for Older American Volunteer Programs.

Foster Grandparents Service in Head Start Projects: The National and Community Service Act of 1990 authorizes programs to place Foster Grandparents in Head Start projects. Authorization for this program is included in the Substitute.

Intergenerational Programs: The bill includes service categories that must be taken into consideration for awarding grants under the investment division of the Corporation on National Service. Language regarding the category of "intergenerational programs" has been strengthened in the Substitute.

RSVP Eligibility: The Domestic Volunteer Service Act (DVSA) presently prohibits older Americans from serving in the Retired Senior Volunteer Program (RSVP) if they are still employed. The bill repeals this prohibition. However, the Substitute retains the present eligibility requirement that individuals must be age 60 or older to participate in RSVP.

Stipend Increase for Foster Grandparents and Senior Companions: Requires the Chairman of the Corporation of National Service to provide a one-time stipend increase to Foster Grandparent and Senior Companion Programs volunteers between Fiscal Year 1994 and Fiscal Year 1998. This language also adds a requirement that the Chairman must take into consideration the ability of non-federally funded SCP/FGP programs to match a stipend increase before the Chairman determines an appropriate level for the stipend increase mandated by this provision. To make this determination, the Chairman must consult with the State Commissions and the heads of the Corporation's State Offices.

Agreements with Other Federal Agencies: Present requirements in DVSA are strengthened by encouraging the Chairman, to the maximum extent practicable, to enter into agreements with Department of Health and Human Services to: (1) involve RSVP and FGP volunteers in the Head Start program, (2) involve RSVP and SCP volunteers in Older Americans Act Title III programs, and (3) promote the use of RSVP and SCP volunteers qualified to provide home services for reimbursement under Medicaid.

Programs of National Significance: Preserves the present earmark for this program. Includes programs that support criminal justice and juvenile justice activities in a list of eligible service categories. Allows non-Federally funded Older American Volunteer Programs to compete for Programs of National Significance grants.

Page 2

Reports on the Need for Cost of Living Adjustments: Section 226 of DVSA requires that annual reports be made to Congress with regard to the extent of project needs for cost of living adjustments. The substitute retains this requirement.

OAVP Program Authorization of Appropriations: Preserves FY 1993 authorization levels for FY 1994 and provides "such sums as necessary" in FY 1995 to FY 1998.

VISTA

Amendments in Substitute to H.R. 2010

(1) VISTA Educational Award Eligibility (p. 26, Sec. 129(b)(2))

Strikes the provision which makes educational awards for VISTA volunteers dependent on the number of approved national service positions. The Administration's policy is that VISTAs and service positions directly sponsored by the Federal government should not exceed 50% of the total number of service positions. We support this concept, but do not believe it should be mandated in the authorizing statute. By striking this provision we ensure that all VISTAs eligible for the \$5,000 educational award will receive it on the same terms as all other eligible national service participants.

(2) VISTA Recruitment and Public Awareness (pp. 210-213, Sec. 322)

Maintains the current legislative requirement that a minimum of 1.5% of VISTA's appropriation be set aside for recruitment and public awareness for the VISTA program. Retains the strong recruitment and public awareness language which includes an emphasis on using current and former VISTAs in recruitment and public awareness efforts. This language is especially important because of the anticipated emphasis on launching the new programs which will fall under the investment division. In addition, 1994 marks the 30th Anniversary of VISTA.

(3) Assistant Director of VISTA (p. 180, Sec. 194. (a)(3)(A) and p. 209, sec. 321A)

Mandates that the Managing Director of the Federal Programs Division must appoint an Assistant Director of VISTA and gives this individual the authority to operate the VISTA program.

(4) VISTA Stipend (p. 215, Sec. 324(a)(2))

The Administration proposed to increase the VISTA stipend from \$95 to \$125 per month, assuming the availability of funds to accomplish the increase. We mandate a modest increase in the stipend of \$5 per month to \$100, not dependent upon the availability of funds.

~~Strike authority to establish this center. This should~~
be done within the larger corporation framework, if at all.
Funds would have been taken from appropriation intended for
DVSA programs.

(8) AUTHORIZATION LEVELS

Increase the proposed VISTA authorization level from \$40 million to \$56 million (1993 authorization level). This reflects the appropriate amount necessary to be able to carry out the 3,700 service years mandated in sec. 501(e). It also reflects amounts necessary to carry out the University Year for Vista and Vista Summer Associates programs. We strike the two separate authorizations for those programs.

MAJORITY MEMBERS:

WILLIAM D. FORD, MICHIGAN,
Chairman

WILLIAM BRIDGES, MISSOURI
GEORGE MILLER, CALIFORNIA
AUSTIN J. MURPHY, PENNSYLVANIA
DALE E. KILDEE, MICHIGAN
PAT WILLIAMS, MONTANA
MATTHEW O. MARTINEZ, CALIFORNIA
MAJOR A. OWENS, NEW YORK
THOMAS C. SAWYER, OHIO
DONALD M. PAYNE, NEW JERSEY
JOLENE UNBOLD, WASHINGTON
PATSY T. MINK, HAWAII
ROBERT E. ANDREWS, NEW JERSEY
JACK REED, RHODE ISLAND
TIM ROEMER, INDIANA
ELIOT L. ENGEL, NEW YORK
XAVIER BECERRA, CALIFORNIA
ROBERT C. "BOBBY" SCOTT, VIRGINIA
GENE GREEN, TEXAS
LYNN C. WOOLSEY, CALIFORNIA
CARLOS A. ROMERO-BARCELO, PUERTO RICO
RON KLINK, PENNSYLVANIA
KARAN BHALLAN, ARIZONA
TED STRICKLAND, OHIO
RPN DE LUCA, VIRGIN ISLANDS
ENI F. H. FALSONAYAGA, AMERICAN SAMOA
SCOTTY BABBLER, KENTUCKY
ROBERT A. UNDERWOOD, GUAM



COMMITTEE ON EDUCATION AND LABOR

U.S. HOUSE OF REPRESENTATIVES

2181 HAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-0100

MEMORANDUM

MINORITY MEMBERS:

WILLIAM T. GOODLING, PENNSYLVANIA
THOMAS E. PETRI, WISCONSIN
MARCE ROUKEMA, NEW JERSEY
STEVE GUNDERSON, WISCONSIN
RICHARD K. ARNEY, TEXAS
HARRIS W. FAWELL, ILLINOIS
PAUL S. HENRY, MICHIGAN
CASS BALLINGER, NORTH CAROLINA
SUSAN MCLELLAN, NEW YORK
BILL BARRETT, NEBRASKA
JOHN A. BOEHNER, OHIO
RANDY "DUKE" GUNNINGHAM, CALIFORNIA
PETER NOENSTRA, MICHIGAN
HOWARD "BUCK" MCKEON, CALIFORNIA
DAN MILLER, FLORIDA

MAJORITY—(202) 225-4527

(TTY)—(202) 225-2872

MINORITY—(202) 225-3725

(TTY)—(202) 225-3118

TO: Chairman Ford

FROM: Gene Sofer

DATE: June 11, 1993

SUBJECT: Possible Amendments

1) Mr. Goodling will offer an amendment to means test the post-service educational benefit. The effect would be to limit the receipt of the award to those who qualify for subsidized student loans (income cut off between \$75,000-\$100,000).

2) Mr. Boehner will offer an amendment to include the stipend in the calculation of welfare benefits. The bill currently excludes them to avoid the possibility that the stipend will push poor families over the limit and discourage the participation of low income people.

3) Mr. Owens will offer an amendment to establish a minimum living allowance for all programs authorized in the Act. Because programs pay stipends, rather than wages, these living allowances are often quite modest. Owens would set a floor of \$7,300, the equivalent of the VISTA stipend.

4) Mr. Martinez will offer an amendment, similar to the Miller proposal included in the substitute, to create a structure through which DOT and HUD could carry out national service projects if they received funds from the Corporation.

5) Mr. Gunderson may offer an amendment to change the way evaluations are treated in the application process. Currently, the applicant suggests the criteria by which it wants to be evaluated and the Corporation approves the criteria. Gunderson wants the Corporation to set criteria and have the applicant ask to be evaluated on a different basis.

VISTA

Amendments in Substitute to H.R. 2010

(1) VISTA Educational Award Eligibility (p. 26, Sec. 129(b)(2))

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Mandates that the Managing Director of the Federal Programs Division must appoint an Assistant Director of VISTA and gives this individual the authority to operate the VISTA program.

(4) VISTA Stipend (p. 215, Sec. 324(a)(2))

The Administration proposed to increase the VISTA stipend from \$95 to \$125 per month, assuming the availability of funds to accomplish the increase. We mandate a modest increase in the stipend of \$5 per month to \$100, not dependent upon the availability of funds.

(5) Political Activities (p. 229, Sec. 362A)

Adds a new section which loosens restrictions on prohibited voter registration activities. In the last reauthorization of the Domestic Volunteer Service Act (DVSA) language was added which prohibited programs receiving assistance under the Act from being involved in any and all voter registration activities. We now define permissible voter registration activities as (1) nonpartisan distribution of voter registration applications and voter registration information; (2) nonpartisan assistance in completing voter registration applications; (3) accepting completed voter registration applications for transmittal to appropriate State election officials.

(6) Evaluations (p. 230, Sec. 366)

Restores evaluation at least once every three years of programs under DVSA.

(7) Center for Research and Training (p. 234, sec. 371)

Strike authority to establish this center. This should be done within the larger corporation framework, if at all. Funds would have been taken from appropriation intended for DVSA programs.

(8) AUTHORIZATION LEVELS

Increase the proposed VISTA authorization level from \$40 million to \$56 million (1993 authorization level). This reflects the appropriate amount necessary to be able to carry out the 3,700 service years mandated in sec. 501(e). It also reflects amounts necessary to carry out the University Year for Vista and Vista Summer Associates programs. We strike the two separate authorizations for those programs.

agency or a state or local government; and

(3) "partnership" means a cooperative arrangement of an educational institution and a jurisdiction for the purpose of operating a Community Police Corps Program.

SEC. 114. AUTHORIZATION OF PROGRAM

(a) GRANTS. -- The Attorney General may make grants to educational institutions for the support of Community Police Corps Programs as described in this subtitle. The duration of a grant under this section shall not exceed five years. Grants whose duration is less than five years may be renewed by the Attorney General so long as the aggregate duration of grants for a particular Community Police Corps Program does not exceed five years. Up to ten educational institutions may receive funding under this section at any time.

(b) SCHOLARSHIPS. -- Grants provided to educational institutions under this section shall be used to provide scholarships of not more than \$5,000 annually to participants in Community Police Corps Programs. Scholarships may be provided for the full duration of the institution's educational program or for any shorter period, but the aggregate amount provided to any participant shall not exceed \$5,000 times the number of years in the institution's regular program.

(c) UTILIZATION OF COMPONENTS. -- The Attorney General may utilize any component or components of the Department of Justice in carrying out this subtitle.

including Public Safety Partnership and Community Policing grants under the Violent Crime Control and Law Enforcement Act of 1994. This subtitle may be cited as the "Community Police Corps Act".

Public Safety Partnership and Community Policing grants under the Violent Crime Control and Law Enforcement Act of 1994 after Treatment Improvement Program under sections 801 and 809C of the Public Health Service Act, as amended by Public Law 102-321.

Subtitle B -- Community Police Corps Initiatives

SEC. 111. SHORT TITLE

This subtitle may be cited as the "Community Police Corps Act".

SEC. 112. STATEMENT OF PURPOSES

The purposes of this subtitle are to support and encourage state and locally based Police Corps programs which provide educational assistance and job placement for police recruits in community-oriented policing, and to support and encourage scholarship programs for in-service officers related to community-oriented policing.

SEC. 113. DEFINITIONS

As used in this subtitle --

(1) "educational institution" means an institution of postsecondary education having a program whose regular duration is not less than two years and not more than four years;

(2) "jurisdiction" means a state or local law enforcement

In making a decision to award a grant over [\$100,000], the Corporation shall consider the recommendations of peer review panels.

A state shall ensure that any decision to award a grant shall be based on the criteria described in section xxx as applied in a fair and equitable manner by an objective reviewer.

The Executive Director shall centralize, to the maximum extent practicable, functions common to the investment division and the federal programs division in a manner that will enable the two divisions to share resources.

THE WHITE HOUSE
WASHINGTON

FAX COVER SHEET

To:

Jack

Fax:

6420

From:

Shirley Sagawa

Phone:

(202) 456-2599

Date:

6/4/93

Pages:

2 (including cover sheet)

Comments:

Jack - edit as you wish
+ FAX to Tom at
224 3533. He + I will
coordinate in the a.m.
about the amendments -
S.



**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET**

DATE: 5/7/93

TO: Jack Lew

FROM: Pam VanWie

For your information.

OMB FORM 38
Rev. Aug 73



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

May 3, 1993

Mr. Robert F. Fagin
Director, Office of Administration
National Oceanic and
Atmospheric Administration
U.S. Department of Commerce
Washington, D.C. 20230

Dear Mr. Fagin:

Thank you for your letter and your interest in the President's national service initiative. I am pleased that executives in the Federal government are excited about the national service program.

While my staff is working closely with the Office of National Service (ONS), the ONS is responsible for the development of the national service program. I have forwarded a copy of your letter to the ONS.

I appreciate your interest in national service and your offer of assistance. Again, thank you for your letter.

Sincerely,

Leon E. Panetta
Director

cc: Dr. Joseph Duffey
President, American University

Dr. Cornelius M. Kerwin
Dean, School of Public Affairs
American University

IDENTICAL LETTER SENT TO MS. NANCY SMITH AND MS. BETH SHEARER

POSSIBLE OWENS AMENDMENTS TO H.R. 2010

Assistance to State Commissions

Page 22, line 12: after "exceed" insert "the lesser of"

Page 22, line 13: Insert the following new subparagraph and redesignate succeeding subparagraphs accordingly:

"(A) \$100,000; or"

(Explanation: This amendment caps total federal assistance to state commissions at \$100,000 annually)

VISTA Eligibility for Education Awards

Page 26, line 6: Strike "Except as provided in paragraph (2),"

Page 26, line 2: Strike paragraph (2)

(Explanation: The Administration's policy is that VISTAs and service positions directly sponsored by the federal government should not exceed 50% of the total number of service positions. We support this concept, but do not believe it should be mandated in the authorizing statute.)

Distribution of Funds Within a State

Page 35, after line 20, insert the following:

"(4) DISTRIBUTION OF FUNDS WITHIN A STATE.--The application of a State shall include assurances that the State will seek to allocate assistance provided under section 121(a) among the counties of the State in proportion to the relationship the populations of such counties bear to the total population of the State."

Application must include language to balance

(Explanation: This amendment requires States to seek to allocate their grant funds within the state in proportion to population. Some states, including New York, which have received Commission grants have done a poor job of evenly allocating funds within the state and have shortchanged larger urban areas. This amendment does not require the State to use a rigid population-driven formula in allocating funds, but it does require it to attempt to achieve equity in the allocation process.)

Criteria for Project Selection

Page 44, after line 14, insert the following:

"(8) The extent to which the application is consistent with the priorities established by the Corporation under subsection (b) of section 122;"

Page 44, line 24: Strike paragraph (2)

(Explanation: Paragraph (2) duplicates the priority language that is set out earlier in the bill [p 17, lines 1-21] and is unnecessary)

*• this
separate
w/ 13
waiver*

Minimum Living Allowance

Page 52, line 20, strike "PERMITTED" and insert in lieu thereof "REQUIRED"

Page 52, line 24, strike "as may be established by the program" and insert in lieu thereof the following:

"which is not less than the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 USC 4955)"

(Explanation: This amendment provides for a minimum living allowance which is equal to the subsistence allowance VISTAs receive [105% of poverty]. Such a minimum allowance is essential to enable low-income persons to participate.)

N.

State Commissions

Page 157, line 14, strike "7 voting members and not more than 13 voting members" and insert in lieu thereof "15 voting members".

(Explanation: This amendment sets the minimum size of the state commissions at 15 instead of 7 and does not mandate a maximum size)

Membership of State Commissions

Page 157, line 17, strike paragraph (1) and (2) and insert in lieu thereof the following:

"(1) REQUIRED MEMBERS.--The State Commission for a State shall include as voting members at least one of the following:

(A) an individual with expertise in the educational, training, and development needs of youth, particularly disadvantaged youth;

(B) an individual with experience in promoting the involvement of older Americans in service and voluntarism;

(C) a representative of community action agencies and community-based organizations within the State, particularly those located in areas of the State with high rates of poverty;

(D) a representative of local governments in the State; and

(E) a representative of local labor organizations in the State;

(2) **ADDITIONAL MEMBERS.**--The State Commission for a State may also include as voting members the following:

(A) participants in service programs who are youths;

(B) representatives of entities which receive assistance under the Domestic Volunteer Service Act of 1973;

(C) representatives of business;

(D) individuals with expertise in the delivery of human, educational, environmental, or public safety services to communities and persons;

(E) educators; and

(F) individuals who are recognized for their outstanding contributions as volunteers in service to their community, State, and Nation;"

Development of State Plan

Page 160, after line 22, insert the following (and redesignate succeeding subparagraphs accordingly):

"(A) is developed through an open and public process, such as through regional forums, hearings and other means, that provides for maximum participation and input from existing national service programs within the State and other interested members of the public;"

ok

Require Open Meetings

Page 160, after line 17, insert the following:

"(6) OPEN MEETINGS.--All meetings and proceedings of the State Commission shall be open to the public."

July 5/11
revised
State
law

Duties of State Commissions

Page 161, after line 14, insert the following:

"(5) Make recommendations to the Corporation with respect to priorities for programs receiving assistance under the Domestic Volunteer Service Act of 1973 and the effectiveness of the operation and management of such programs within the State;"

ok

Size of Corporation Board of Directors

Page 166, line 14, strike "11" and insert in lieu thereof "17"

Page 167, line 10, strike "no more than 6" and insert in lieu thereof "no more than 50 per cent plus one additional member"

Composition of Board of Directors

Page 167, line 13, strike "No fewer than" and insert in lieu thereof "No more than"



Term of Board Membership

Page 168, line 4, strike "term of 3 years" and insert in lieu thereof "term of 5 years"

Meetings of the Board

Page 168, line 20, strike "if 6 members" and insert in lieu thereof "at the call of the Chairperson or if a majority of members"

Authorities of Board of Directors

Page 171, line 13, strike paragraph (1) and redesignate succeeding paragraphs accordingly

Page 172, line 1, strike "described in paragraph (1)" and insert in lieu thereof "made by the Corporation"

Page 172, line 9, after "with respect to", insert "grants, allotments, contracts, assistance, and payments made by the Corporation"

page 172, line 18, strike paragraph (5) and insert in lieu thereof:

"(5) receive reports issued by the Inspector General of the Corporation and review actions taken by the Chairperson with respect to such reports;"

Page 172, line 20, strike "arrange for" and insert in lieu thereof "review"

page 172, line 23, strike "provide" and insert in lieu thereof "make recommendations"

Authorities of Chairperson

Page 174, line 21, strike "on the recommendation of the Board,"

Inspector General

Page 180, line 21, strike "oversight committee" and insert in lieu thereof "Chairperson"

State Field Structure

Page 183, after line 6, insert the following:

"SEC. 194A. CORPORATION STATE OFFICES.

(a) The Corporation shall establish and maintain a decentralized field structure which provides for an office of the Corporation for each State which is located in or in reasonable proximity of such State.

(b) Each State Office shall--

(1) be directed by the state Corporation representative designated under section 195(b);

(2) carry out the following functions and responsibilities--

(A) the provision of technical and other assistance to the State Commissions established under section 178 in the development and

implementation of state service plans;

(B) the provision of technical assistance to community-based agencies and other entities within the state in the preparation of applications for assistance under the national service laws;

(C) the provision of support and technical assistance to the State Commission and other entities within the State necessary to assure that there is an effective system of recruitment and placement of volunteers within the State;

(D) monitoring the performance of all programs and projects within the State which receive assistance under the national service laws; and

(E) such other duties and functions which may be assigned or delegated by the Chairperson."

Personnel System

Page 183, line 14, strike subparagraphs (A) and (B) of paragraph (2)

Page 187, line 19, strike subparagraph (C)

State Representatives

Page 188, line 21, after "shall", insert "direct the office of the Corporation for such State and group of States and"

Transfer of ACTION Employees

- All employees should transfer to the Corporation.
- There should be a 1 year protection of the job, status, and benefits of all transferred employees.
- All non-SES transferred employees should be given an additional 3 years of job protection. Status, salary, and benefits would not be protected.
- After 1 year all transferred employees would come under the Corporation's personnel and compensation system.

Director of VISTA

Page 209, after line 21, insert the following:

"SEC. 21A. DIRECTOR OF VISTA.

Section 102 (42 USC 4952) is amended by adding at the end thereof the following:

"This part shall be administered by an individual with appropriate management and programmatic expertise who shall be designated the Director of VISTA."

VISTA Recruitment

Page 210, line 24, strike "paragraphs (2), (4), (5), and (6)" and insert in lieu thereof "paragraphs (4) and (6)"

Page 211, line 1, strike "(3) and (7) as paragraphs (2) and (3)" and insert in lieu thereof "(5) and (7) as paragraphs (4) and (6)"

Page 211, after line 2, insert the following:

"(3) by striking subparagraph (A) of paragraph (2) and inserting in lieu thereof the following:

'(A) The Director shall establish and maintain within the national headquarters of the ACTION Agency a volunteer placement office which shall be responsible for all functions related to the recruitment and placement of volunteers under this part. Such functions and activities shall be carried in coordination or in conjunction with recruitment and placement activities carried out under the National Service Trust Act.

(4) by striking subparagraphs (C) and (D) of paragraph (2)"

Page 211, line 6, strike paragraph (4)

VISTA Public Awareness

Page 211, line 21, strike subsection (c) and insert in lieu thereof the following:

"(c) PUBLIC AWARENESS AND RECRUITMENT.--Subsection (c) of section 103 is amended--

(1) in paragraph (1)--

(A) by striking ", in conjunction with the regional or State employees designated in subparagraphs (C) and (D) of subsection (b)(2),"; and

(B) by striking "shall include" and insert in lieu thereof "may include";

(C) by striking subparagraph (E) and inserting in lieu thereof the following:

'(E) publicizing educational awards available under the National Service Trust Act;"

(2) by striking paragraphs (4) and (5);

(3) by redesignating paragraph (6) as paragraph (4).

VISTA Stipend

Page 215, line 4, strike "\$125" and insert in lieu thereof "\$100"

Page 215, line 6, strike ", assuming the availability of funds to accomplish this increase"

Page 215, line 8, strike "minimum" and insert in lieu thereof "maximum"

Demo and Technical Assistance Authorities

Page 219, strike sections 330, 331, and 332 and insert in lieu thereof the following:

"SECTION 330. REPEAL.

Sections 122, 123, and 124 are repealed."

Evaluations

Page 230, line 10, strike section 366

Center for Research

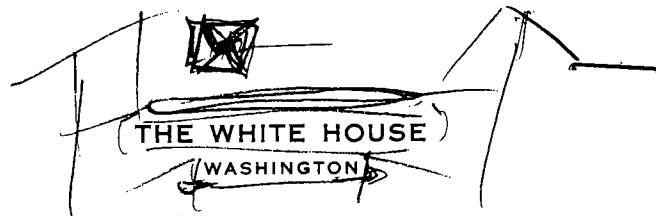
Page 234, line 3, strike section 371

Peace Corps FERS Issue

Page 234: Insert language permitting Peace Corps volunteers to "buy-into" FERS like VISTA volunteers

OTHER ISSUES

1. Modify political activities restrictions in DVSA
2. Authorizations for VISTA do not conform to service year levels set out in the bill
3. Strike separate authorizations for VISTA Summer program and University Year for VISTA



state Commissioner

no input of ED. / staff

goals 2010 $\frac{1}{3}$ experts in low
minorities, LEP, students
review on panel

must list on state Com
experience & out of school
youth (state official)

Non-English outlined

positive banner it states
do not do a good job

low & students expertise - long
list

JOHN C. DANFORTH
MISSOURICOMMITTEE
COMMERCE, SCIENCE,
AND TRANSPORTATION
FINANCE
INTERFERENCE

United States Senate

WASHINGTON, DC 20510-2502

FAX TRANSMISSION SHEET

Date: 6-1-93To: Jack Lew 456-6420From: Jeff BallabanIf this fails to transmit properly, please call
(202) 224-6154Number of pages transmitted (including cover): 14

Comments:

Thanks again for meeting with me today.
I think it would be great if the idea
can be worked into an acceptable amendment.

JH

O:\SIG\SIG93.429

S.L.C.

103D CONGRESS
1ST SESSION**S.** _____

IN THE SENATE OF THE UNITED STATES

Mr. DANFORTH (for himself, Mr. BRADLEY, and Mr. COHEN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To provide resources for child-centered activities conducted,
where possible, in public school facilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SENSE OF THE CONGRESS; FINDINGS; PUR-**
4 **POSE.**

5 (a) SENSE OF CONGRESS.—It is the sense of the Con-
6 gress that—

7 (1) public-private partnerships between govern-
8 ment and community-based organizations offer an
9 opportunity to—

Q:\SIG\SIG93.429

S.L.C.

2

1 (A) empower distressed and disconnected
2 communities to develop their own resources and
3 abilities in order to meet the needs of children;
4 and

5 (B) forge innovative solutions to the chal-
6 lenges confronting the development of the chil-
7 dren in such communities; and

8 (2) increased resources should be invested in
9 public-private partnerships.

10 (b) FINDINGS.—The Congress finds that—

11 (1) because of the increased difficulty of sup-
12 porting families on a single wage and the growth of
13 single parent families, parents have less time to de-
14 vote to the supervision, education, and nurturing of
15 their children;

16 (2) the lack of supervision and meaningful ac-
17 tivity after school contributes to the spread of gang
18 violence, drug trafficking, and lack of hope among
19 children in our Nation;

20 (3) the problems described in paragraphs (1)
21 and (2) and crimes, although widespread, are par-
22 ticularly acute in communities where there is a con-
23 centration of low-income housing;

O:\SIG\SIG93.429

S.L.C.

3

1 (4) the community has a responsibility for de-
2 veloping our Nation's children into productive
3 adults;

4 (5) because of their centrality, public schools
5 are among the best facilities for providing needed
6 space and support services that expand traditional
7 uses of schools;

8 (6) schools are most effective when the people
9 of the community are involved in activities designed
10 to fulfill the needs of children in the community; and

11 (7) homes, community centers, recreational fa-
12 cilities and other places where children gather, have
13 a significant impact on children.

14 (c) PURPOSE.—It is the purpose of this Act—

15 (1) to set forth the vision and plan for a nation-
16 wide restructuring of the way communities engage in
17 the nurturing and development of children, especially
18 children living and growing up in urban neighbor-
19 hoods throughout the Nation;

20 (2) to provide (in collaboration with other pub-
21 lic, private and nonprofit organizations and agen-
22 cies) curriculum-based educational, recreational, cul-
23 tural, health, social, and other related community
24 and human services; and

1 (3) to test the affects of assisting communities
2 located within economically distressed areas to de-
3 velop and conduct programs that will increase the
4 academic success of students and improve work force
5 readiness.

6 **SEC. 2. COMMUNITY SCHOOLS DEMONSTRATION PROGRAM.**

7 Section 520 of the Cranston-Gonzalez National Af-
8 fordable Housing Act (42 U.S.C. 11903a) is amended by
9 adding at the end the following new subsection:

10 “(k) **COMMUNITY SCHOOLS DEMONSTRATION PRO-**
11 **GRAM.**—

12 “(1) **PROGRAM AUTHORITY.**—Notwithstanding
13 any other provision of this section, the Secretary is
14 authorized to award not more than 10 demonstra-
15 tion grants in accordance with this subsection to
16 community-based organizations to enable such orga-
17 nizations to assist eligible communities located with-
18 in economically distressed areas to develop and con-
19 duct programs that will increase the academic suc-
20 cess of students and improve work force readiness.

21 “(2) **PROGRAM REQUIREMENTS.**—Each pro-
22 gram assisted under this subsection shall—

23 “(A) provide services and activities to chil-
24 dren in the eligible community, including cur-
25 riculum-based supervised educational, rec-

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1 reational, work force preparation, entrepreneur-
2 ship, cultural, health, social, and other related
3 community and human services; and

4 “(B) coordinate the delivery of social serv-
5 ices to the children in such eligible community
6 in order to meet the needs and preferences of
7 such children.

8 “(3) PEER REVIEW PANEL.—

9 “(A) ESTABLISHMENT.—The Secretary, in
10 consultation with the Secretaries of Education,
11 Labor and Health and Human Services, shall
12 establish a peer review panel which shall be
13 comprised of individuals with demonstrated ex-
14 perience in designing and implementing commu-
15 nity-based programs.

16 “(B) COMPOSITION.—Such panel shall in-
17 clude at least 1 representative from each of the
18 following entities:

19 “(i) A community-based organization.

20 “(ii) A local government.

21 “(iii) A school district.

22 “(iv) The private sector.

23 “(v) A philanthropic organization.

24 “(C) FUNCTIONS.—Such panel shall con-
25 duct the initial review of all grant applications

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1 received by the Secretary under paragraph (6),
2 make recommendations to the Secretary regard-
3 ing grant funding under this subsection, and
4 recommend a design for the evaluation of pro-
5 grams assisted under this subsection.

6 “(4) ELIGIBLE COMMUNITY IDENTIFICATION.—
7 Each community-based organization receiving a
8 grant under this subsection shall identify an eligible
9 community to be assisted under this subsection.
10 Such eligible community shall be an area—

11 “(A) of poverty, unemployment, and gen-
12 eral distress; and

13 “(B) located in a metropolitan statistical
14 area in which the unemployment rate exceeds
15 by more than 1.5 percent the national unem-
16 ployment rate.

17 “(5) DEFINITION.—For the purpose of this
18 subsection—

19 “(A) the term ‘community-based organiza-
20 tion’ means a private, locally initiated nonprofit
21 community-based organization which—

22 “(i) is tax exempt under section
23 501(c)(3) of the Internal Revenue Code of
24 1986;

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1 “(ii) is organized for educational and
2 charitable purposes; and

3 “(iii) is governed by a board consist-
4 ing of residents of the community, and
5 business and civic leaders actively involved
6 in providing employment and business de-
7 velopment opportunities in the eligible
8 community;

9 “(B) the term ‘eligible community’ means
10 an area identified pursuant to paragraph (4);
11 and

12 “(C) the term ‘Secretary’, unless otherwise
13 specified, means the Secretary of Housing and
14 Urban Development.

15 “(6) APPLICATIONS.—

16 “(A) APPLICATION REQUIRED.—Each
17 community-based organization desiring a grant
18 under this subsection shall submit to the Sec-
19 retary an application at such time, in such
20 manner, and accompanied by such information,
21 as the Secretary may reasonably require.

22 “(B) CONTENTS OF APPLICATION.—Each
23 application submitted pursuant to subpara-
24 graph (A) shall—

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1 “(i) describe the activities and services
2 for which assistance is sought;

3 “(ii) contain an assurance that the
4 community-based organization will spend
5 grant funds under this subsection in a
6 manner that the community-based organi-
7 zation determines will best accomplish the
8 purposes of this subsection;

9 “(iii) contain a comprehensive plan
10 designed to achieve identifiable goals for
11 children in the eligible community;

12 “(iv) set forth measurable goals and
13 outcomes that will make the public school,
14 where possible, the focal point of the eligi-
15 ble community, which goals and outcomes
16 may include increasing graduation rates,
17 school attendance, and academic success in
18 the eligible community and improving the
19 skills of program participants;

20 “(v) provide evidence of support for
21 accomplishing such goals and outcomes of
22 the program from—

23 “(I) community leaders;

24 “(II) businesses;

25 “(III) a school district;

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1 “(IV) local officials;

2 “(V) State officials; and

3 “(VI) other organizations that
4 the community-based organization
5 deems appropriate;

6 “(vi) contain an assurance that the
7 community-based organization will use
8 grant funds under this subsection to pro-
9 vide children in the eligible community
10 with after school activities and services
11 that include curriculum-based supervised
12 educational, recreational, work force prepa-
13 ration, entrepreneurship, cultural, health,
14 social, and other related community and
15 human services;

16 “(vii) contain a list of the activities
17 and services that will be offered and spon-
18 sored by private nonprofit organizations,
19 individuals, and groups serving the eligible
20 community, including—

21 “(I) recreational activities in ad-
22 dition to educational programs (such
23 as computer, mathematics, and
24 science and technology, and language
25 skills programs); and

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1 “(II) activities that address spe-
2 cific needs in the community;

3 “(viii) demonstrate how the commu-
4 nity-based organization will make use of
5 the resources, expertise, and commitment
6 of private entities;

7 “(ix) include an estimate of the num-
8 ber of children in the eligible community
9 expected to be served pursuant to the pro-
10 gram;

11 “(x) include a description of philan-
12 thropic private and all other resources that
13 will be made available to achieve the goals
14 of the program; and

15 “(xi) contain an assurance that the
16 community-based organization will use
17 competitive procedures when purchasing,
18 contracting or otherwise providing for
19 goods, activities or services under this title.

20 “(7) PAYMENTS; FEDERAL SHARE; NON-FED-
21 ERAL SHARE.—

22 “(A) PAYMENTS; FEDERAL SHARE; NON-
23 FEDERAL SHARE.—

24 “(i) PAYMENTS.—The Secretary shall
25 pay to each community-based organization

1 having an application approved under
2 paragraph (6) the Federal share of the
3 costs of the activities and services de-
4 scribed in the application.

5 “(ii) FEDERAL SHARE.—The Federal
6 share of payments under this subsection
7 shall be 65 percent.

8 “(iii) NON-FEDERAL SHARE.—

9 “(I) IN GENERAL.—The non-
10 Federal share of payments under this
11 subsection may be in cash or in kind,
12 fairly evaluated.

13 “(II) SPECIAL RULE.—At least
14 15 percent of the non-Federal share
15 of payments under this subsection
16 shall be provided from private or non-
17 profit sources.

18 “(8) EVALUATION.—The Secretary shall con-
19 duct a thorough evaluation of the programs assisted
20 under this subsection. Such evaluation shall include
21 an assessment of—

22 “(A) the number of children participating
23 in each program assisted under this subsection;

24 “(B) the academic achievement of such
25 children;

1 “(C) school attendance and graduation
2 rates of such children; and

3 “(D) the number of such children being
4 processed by the juvenile justice system.”.

5 ~~SEC. 8. FUNDING FROM PUBLIC AND ASSISTED HOUSING~~
6 ~~DRUG ELIMINATION FUNDS.~~

7 Section 5130 of the Public and Assisted Housing
8 Drug Elimination Act of 1990 (42 U.S.C. 11969) is
9 amended by adding at the end the following new sub-
10 section:

11 “(d) SET-ASIDE FOR COMMUNITY SCHOOLS DEM-
12 ONSTRATION PROGRAM.—Of any amount made available
13 in any fiscal year to carry out this chapter, \$15,000,000
14 shall be available for community schools demonstration
15 program grants under subsection (k) of section 520 of the
16 ~~Cranston-Gonzalez National Affordable Housing Act~~ for
17 such fiscal year.”.

*Replace w/
ADDITIONAL*

ADDENDUM -

1 SEC. 3. FUNDING FROM PUBLIC AND ASSISTED HOUSING
2 DRUG ELIMINATION FUNDS.

3 Section 5130 of the Public and Assisted Housing
4 Drug Elimination Act of 1990 (42 U.S.C. 11909) is
5 amended by adding at the end the following new sub-
6 section:

7 "(d) SET-ASIDE FOR COMMUNITY SCHOOLS DEM-
8 ONSTRATION PROGRAM.—The Secretary shall make avail-
9 able not more than \$15,000,000 in each fiscal year for
10 community schools demonstration program grants under
11 subsection (k) of section 520 of the Cranston-Gonzalez
12 National Affordable Housing Act from the total amount
13 of any funds appropriated to carry out this chapter in—

14 (1) such fiscal year in excess of the amount ap-
15 propriated to carry out this chapter for fiscal year
16 1993; and

17 (2) any preceding fiscal year that remain unob-
18 ligated."

INFORMATION SHEET ON PERSONNEL STRUCTURE OF THE CORPORATION

In an effort to streamline the bureaucracy and "reinvent government" through a flexible and accountable structure to administer federal national and community service programs, the President has proposed a new Corporation for National Service, combining the existing ACTION agency and Commission on National and Community Service. The structural goals of the new Corporation are:

- to operate based on the best management principles of the private sector while providing the kind of accountability expected of a government entity; and
- to attract the best people from two existing agencies and elsewhere, including the private sector, and place them in the positions for which they are most qualified.

To achieve these goals, the new Corporation, as proposed to be amended, does the following:

- allows for hiring and promotion based on ability, and allows poor performing employees to be let go;
- provides for a flexible structure so functions of the two existing agencies may be combined when efficient and the staff reorganized if appropriate;
- creates a merit pay system; and
- provides for the leadership of the Corporation to be appointed by and accountable to the President, and therefore to Congress.

However, there is a need to balance these goals with a fair and humane personnel policy. All employees of the Corporation will:

- be eligible for federal health benefits and Civil Service retirement.
- be able to count service at the Corporation towards years of service for purposes of future competition for civil service positions.

Therefore, the President's proposal allows for the following additional provisions with respect to ACTION personnel:

For at least one year following date of enactment:

- job protection for all ACTION employees;

- any ACTION employee may apply for any position in the Corporation, and, if hired, will serve based on the more flexible personnel rules of the Corporation.

After one year or up to eighteen months after the date of enactment:

- ACTION employees working with the VISTA and Older American Volunteer Programs, and any other employees whose functions are transferred to the new Corporation, will become employees of the Corporation, retaining their civil service status for the duration of their service in the transferred position or any position to which they are promoted.

- Any ACTION employee not transferred and not otherwise hired by the Corporation will be given the option of an attractive early retirement package (if they are close to retirement) or preferential hiring within the civil service and aggressive outplacement assistance.

- Any ACTION employee not employed by the Corporation may file a grievance to have his or her case reviewed.



AFSCME®

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June 1, 1993

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Garland W. Webb
Baton Rouge, La.

TO: Jack Lew
Shirley Sagawa
Tom Sander
Gene Sofer

FR: Nanine Meiklejohn

RE: National Service Trust Act - Technical Changes

There are several technical changes to the National Service Trust Act which we urge you to incorporate into the substitute bill:

1. SUBTITLE A, PART II, Section 130(e), SPECIAL RULE FOR CERTAIN SERVICE SPONSORS (Union Concurrence):

The intent of this provision was to establish a union concurrence rule for an entity with employees who are organized. Our concern with the current wording in the bill is that a state applicant could apply to run service programs through a variety of public and non-profit agencies within the state, but the concurrence rule would not apply because the state applicant would not be considered a service sponsor and local service sponsors would not be considered an applicant. We recommend the following rewrite of the requirement:

"An application shall include the written concurrence of any local labor organization representing employees of a service sponsor who are engaged in the same or substantially similar work as that proposed to be carried out."

2. SUBTITLE B, PART I, SUBPART A, SCHOOL-BASED PROGRAMS FOR STUDENTS (Cross-reference to grievance procedure):

The application requirements for local school-based programs require assurances that the entity comply with both the non-displacement and grievance procedure requirements, but the requirements for state and Indian applications omit the reference to the grievance procedure. We recommend the following:

Sec. 113(b)(2)(B): the applicant will comply with the non-duplication and non-displacement requirements of Section 177 and grievance procedure requirements of Section 176(f); and (additional language underlined)

in the public service

by a
service
sponsor

to be
assisted

by state funding
pursuant to this application

Shirley - 243

3. SUBTITLE B. Application of Union Consultation Requirement

Local applicants for school-based service-learning programs under Subpart A, Section 114, are required to comply with the union consultation rule, but state and Indian applicants under Subpart A, Section 113, and applicants for community-based programs for school-age youth under Subpart B are not. We recommend that the following language, which applies to local applicants under Subpart A, be extended to Section 113(b)(2) and Section 117C(d):

"provide assurances that 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"

cc: Chuck Loveless
Don Wasserman

NM:dmb

6/2/93

Areas of Concern with Structure of National Service Trust Act

1. Treatment of ACTION employees during the transition to the Corporation and then once these employees are at the Corp.

Interests:

2. Interaction of Federal Programs Div. of Corp. and Investment Division of the Corp.

Interests:

3. Interaction of State Commissions with State Offices of Federal Programs Div.

Interests:

4. Top level Corporation management (Board, Chairman, Exec. Dir.)

Interests:

NATIONAL COLLABORATION FOR YOUTH

Same as
YMCA

1319 F Street, NW • Suite 601 • Washington, DC 20004 • 202/347-2080 • FAX 202/393-4517

Mr. Eli Segal
Office of National Service
The White House
Washington, DC 20500

Dear Mr. Segal:

The National Collaboration for Youth (NCY) applauds youth leadership and that of President Clinton in spearheading a Federal initiative to expand the ethic of service among America's youth. Our combined membership serves over 30 million of our nation's youth and, as you know, we support the concept of national service because we have seen the difference it makes in the lives of those who serve and those who are served.

We also appreciate the steps you and your staff have taken to include nonprofit community-based organizations in the National Service Trust Act of 1993. In that vein, we would like to recommend the following language to further strengthen the role of community-based providers:

Distribution of Funding to National Service Projects Provided by States, Federal Agencies, and Other Organizations [Section 129 (a)(1) and (2)].

Current Language: Currently, States are allocated 1/3 of the funding for national service programs; may compete for 1/3 of the funding; and may compete with Indian tribes, public and private not-for-profit organizations, institutions of higher education, and Federal agencies for the remaining 1/3.

Proposed Change: Delete Federal agencies and subdivisions of States from eligibility under the remaining 1/3 of national service funding, OR: 1) require Federal agencies to comply with the same matching requirements as other applicants; and 2) cap the amount of funding available to Federal agencies and subdivisions of States to no more than 25%, combined.

Rationale: The size, influence, and access to resources that Federal agencies and subdivisions of States enjoy afford them an unfair advantage when competing with other applicants under the remaining 1/3rd of national service funding. As a result, deleting eligibility or capping the funding for Federal agencies and subdivisions or States is warranted. Additionally, the lack of a matching requirement for Federal agencies fails to create a level playing field between Federal agencies and other applicants.

Subtitle B - School-based and Community-based Service Learning Programs [Section 111 (a)(2)(B)(i)]

Current Language: Funding may be provided to service learning projects operated by partnerships among local educational agencies and public or private not-for-profit organizations.

Proposed Changes: Specify that local educational agencies shall collaborate with private not-for-profit organizations which: 1) have a demonstrated and extensive experience in the provision of services to meet human, educational, environmental, or public safety needs, and 2) have been in existence at least one year before the date on which the organization submitted their application.

Rationale: The proposed language is consistent with eligibility requirements specified elsewhere in the Act (e.g. Sections 117 (2)(B) and 133 (d)(2)(E). In addition, the proposed language would ensure the development of effective programs between schools and private, not-for-profit, community-based organizations with the experience and expertise to develop and implement enriching service programs.

Subpart B - Community-based Service Programs for Youth [Section 117C (b)].

Current Language: To be eligible to receive a grant from the Corporation under section 117A(a) to implement, operate, expand, or replicate a community service program, an organization must submit an application that proposes a community-based service program to be carried out at multiple sites, or that proposes an innovate community-based service program.

Proposed Change: Delete the requirement that programs be multi-site or innovative. Require instead that organizations develop a meaningful service program that meets unmet human, educational, environmental, or public safety needs.

Rationale: The proposed language is consistent with eligibility requirements specified in Section 122(a)(1) and (2)(A) of the Act and supports key purposes of the Act found in Section 2(b)(5) and (6):

reinvent government to eliminate duplication, support locally established initiatives...build on the existing organizational service infrastructure of Federal, State, and local programs.

Furthermore, the proposed language would not prohibit organizations with well-established, single-site programs from applying for funding.

Local Application Requirements [Section 117C(d)(3)(D)]

Current Language: An organization interested in applying for funding to support a community-based service program shall submit an application that includes a description of how participants will be organized into teams, with team leaders.

Proposed Change: Delete the requirement that programs organize participants into teams with team leaders.

Rationale: Many effective community-based programs with long histories of serving youth do not organize program participants into teams, but allow youth to participate in individual placement opportunities. The act should support diverse program models, including individual placement programs, to address diverse community needs, provided there is adequate supervision and opportunity for reflection.

Availability of Appropriations [Section 120(1)(A) and (B)]

Current Language: Of the amount appropriated to carry out the Serve-America title of the Act, 75 percent is allocated for K-12 service programs -- with 85 percent of that amount allocated to school-based programs and only 15 percent for community-based programs.

Proposed Change: Of amounts appropriated to carry out Serve-America, with regard to the allocation for K-12 service programs, 50 percent of the funding should be allocated for school-based programs and 50 percent for community-based programs.

Rationale: Community-based organizations have well established youth service programs and are ready to expand and provide these programs in communities across the country. Existing youth programs with a proven track record offer an efficient and effective way to involve more youth in service programs without the cost of creating duplicate programs, delivery systems, and administrations.

Funding to State Departments of Education Rather than State Commissions on National Service [Section 113(a)]

Current Language: Funds provided to support service programs provided by school/community-based organization partnerships are allocated to State educational agencies, rather than State Commissions on national service.

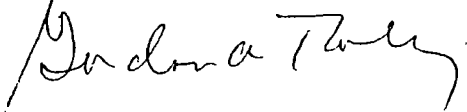
Proposed Change: Funding for school-based service learning programs shall be allocated to State Commissions on national service.

Rationale: Since State Commissions on national service are composed of a broad range

of public and private representatives, they may be in a better position than State departments of education to bring schools together in collaborative work with community-based organizations. Additionally, the proposed language is consistent with funding distribution requirements specified under Subtitle C, the National Service Trust Program.

If you have any questions regarding our proposed changes to the National Service Trust Act of 1993, please call. Again thank you for your consideration of these proposals and for your continued leadership on behalf of the youth of this nation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gordon A. Raley".

Gordon A. Raley
Executive Director

Means testing

MINK

Reid

Williams

Bereen - John Fitzpatrick

2 options

(1) Corps substitute

(2) low income target of 50/60%

+ report & enforcement
"work in communities of economic distress"