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1 (E) ADMINISTRATIVE ACTIONS RELATING
2 TO PROMULGATION OF REGULATIONS.—Any ad-
3 ministrative action relating to the preparation
4 or promulgation of a regulation by the AC-
5 TION Agency relating to a function transferred
6 under this subsection may be continued by the
7 Corporation with the same effect as if this sub-
8 section had not been enacted.

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

14 (10) TRANSITION.—The Chairperson is author-
15 ized to utilize—

16 (A) the services of such officers, employ-
17 ees, and other personnel of the ACTION Agen-
18 cy with respect to functions transferred to the
19 Corporation by this subsection; and

20 (B) funds appropriated to such functions
21 for such period of time as may reasonably be
22 needed to facilitate the orderly implementation
23 of this subsection.

24 (d) EFFECTIVE DATE.—This section, and the amend-
25 ments made by this section, shall take effect—

which
transitional
period?

Prior
to the
any
transfer
of function

which
will be

1 (1) 18 months after the date of enactment of
2 this Act; or

3 (2) on such earlier date as the President deter-
4 mines to be appropriate.

5 **TITLE III—HIGHER EDUCATION**

6 **SEC. 301. HIGHER EDUCATION.**

7 **[To be supplied.]**

8 **TITLE IV—REAUTHORIZATION**

9 **Subtitle A—National and**

10 **Community Service Act of 1990**

11 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

12 **[To be supplied. Language should include carryover**
13 **provisions and an advance funding provision similar to the**
14 **following:**

15 **“(____) ADVANCE FUNDING.—**

16 **“(1) IN GENERAL.—In order to afford the re-**
17 **sponsible State, local, and Federal officers concerned**
18 **adequate notice of available Federal financial assist-**
19 **ance for programs under the [national service**
20 **Acts], appropriations for grants, contracts, or other**
21 **payments under any applicable program under such**
22 **Acts are authorized to be included in the appropria-**
23 **tion Act for the fiscal year preceding the fiscal year**
24 **for which the appropriations are available for obliga-**
25 **tion.**

1 “(2) APPLICATION.—In order to effect a transi-
2 tion to the method of timing appropriation action
3 described in paragraph (1), paragraph (1) shall
4 apply notwithstanding that the initial application of
5 the paragraph under such program will result in the
6 enactment in the same year (whether in the same
7 appropriation Act or otherwise) of two separate ap-
8 propriations, one for the then current fiscal year and
9 one for the succeeding fiscal year.”.]

10 **Subtitle B—Domestic Volunteer**
11 **Service Act of 1973**

12 **SEC. 411. SHORT TITLE; REFERENCES.**

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

15 (b) REFERENCES.—Except as otherwise specifically
16 provided, whenever in this subtitle an amendment or re-
17 peal is expressed in terms of an amendment to, or repeal
18 of, a section or other provision, the reference shall be con-
19 sidered to be made to a section or other provision of the
20 Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950
21 et seq.).

1 **CHAPTER 1—VISTA AND OTHER ANTI-**
2 **POVERTY PROGRAMS**

3 **SEC. 421. PURPOSE OF THE VISTA PROGRAM.**

4 The last sentence of section 101 (42 U.S.C. 4951)
5 is amended to read as follows: “In addition, the objective
6 of this part is to generate the commitment of private sec-
7 tor resources, to encourage volunteer service at the local
8 level, and to strengthen local agencies and organizations
9 to carry out the purpose set forth in this part.”.

10 **SEC. 422. SELECTION AND ASSIGNMENT OF VISTA VOLUN-**
11 **TEERS.**

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

14 (1) in the matter preceding paragraph (1), by
15 striking “a public” ;

16 (2) in paragraph (2), by striking “and” at the
17 end thereof;

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

20 (4) in paragraph (5), by striking “and” at the
21 end thereof;

22 (5) in paragraph (6)—

23 (A) by striking “or the Community Eco-
24 nomic” and inserting “the Community Eco-
25 nomic”;

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

3 (C) by striking the period and inserting “;
4 and”; and

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

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

10 (b) RECRUITMENT PROCEDURES.—Section 103(b)
11 (42 U.S.C. 4953(b)) is amended—

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

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

16 (3) in paragraph (2) (as so redesignated), by
17 striking “paragraph (7)” and inserting “paragraph
18 (3)”; and

19 (4) in paragraph (3) (as so redesignated)—

20 (A) by striking “paragraph (4)” in sub-
21 paragraph (A) and inserting “paragraph (2)”; and

22 (B) by striking subparagraphs (B) and
23 (E);

1 (C) by redesignating subparagraphs (C),
2 (D) and (F) as subparagraphs (B), (C) and
3 (D), respectively;

4 (D) by striking subparagraph (B) (as so
5 redesignated) and inserting the following new
6 subparagraph: and

7 “(B) A sponsoring organization may recruit volun-
8 teers for service under this part subject to final selection
9 approval by the Director of ACTION.”.

10 (c) PUBLIC AWARENESS AND RECRUITMENT.—Sub-
11 section (c) of section 103 (42 U.S.C. 4953(c)) is
12 amended—

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

14 “(1) The Director shall conduct national and local
15 public awareness and recruitment activities in order to
16 meet the volunteer goals of the program. Such activities
17 may include public service announcements, advertise-
18 ments, publicity on loan deferments and cancellations
19 available to VISTA Volunteers, maintenance of a toll-free
20 telephone system, and provision of technical assistance for
21 the recruitment of volunteers to programs and projects re-
22 ceiving assistance under this part. Further, the Director
23 shall take steps to recruit individuals 18 through 27 years
24 of age, 55 years of age and older, recent graduates of in-

1 stitutions of higher education, and special skilled volun-
2 teers.”;

3 (2) in paragraph (3), by adding at the end
4 thereof the following new sentence: “In addition, the
5 Director shall take steps to provide opportunities for
6 returned Peace Corps Volunteers to serve in Vista.”;

7 (3) by striking paragraphs (4) and (5);

8 (4) by redesignating paragraphs (6) as para-
9 graph (4); and

10 (5) by striking paragraph (4) (as so redesign-
11 nated), and inserting the following new paragraph:

12 “(4) Beginning in fiscal year 1994 and for each fiscal
13 year thereafter, for the purpose of carrying out this sub-
14 section, the Director shall obligate such sums as necessary
15 of the amounts appropriated for each fiscal year under
16 section 501(a).”.

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

20 “(h) The Director of ACTION is encouraged to enter
21 into agreements with other Federal agencies to use VISTA
22 Volunteers in furtherance of program objectives that are
23 consistent with the purposes described in section 101.”.

1 **SEC. 423. TERMS AND PERIODS OF SERVICE.**

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

5 “(b) Volunteers serving under this part may be en-
6 rolled initially for not less than 1 year, nor more than 2
7 years, except as provided for under subsection (e), except
8 that volunteers serving under this part may be enrolled
9 for periods of service of less than 1 year when the Director
10 determines, on an individual basis, that a period of service
11 of less than 1 year is necessary to meet a critical scarce
12 skill need. Volunteers serving under this part may be
13 reenrolled for periods of service in a manner to be deter-
14 mined by the Director. No volunteer shall serve for more
15 than a total of 5 years under this part.”.

16 (b) SUMMER PROGRAM.—Section 104 (42 U.S.C.
17 4954) is amended by adding at the end thereof the follow-
18 ing new subsection:

19 “(e) Notwithstanding any other provision under this
20 part, the Director may enroll full-time VISTA Summer
21 Associates for the summer months only, under the terms
22 and conditions to be set by the Director. Such individuals
23 must be assigned to projects that meet the criteria set
24 forth in section 103(a). The Agency shall report on par-
25 ticipants, costs, and accomplishments under the summer
26 program separately. The limitation on funds appropriated

1 for grants and contracts, as contained in section 108, shall
2 not apply to the summer program.”.

3 **SEC. 424. SUPPORT FOR VISTA VOLUNTEERS.**

4 (a) POSTSERVICE STIPEND.—Section 105(a)(1) (42
5 U.S.C. 4955(a)(1)) is amended by striking the second sen-
6 tence and inserting the following: “Such stipend shall not
7 exceed \$95 per month in fiscal year 1994, but shall be
8 set at a minimum of \$125 per month during the volun-
9 teer’s service after October 1, 1994, assuming the avail-
10 ability of funds to accomplish this increase. The Director
11 may provide a stipend of a minimum of \$200 per month
12 in the case of persons who have served for at least 1 year
13 and who, in accordance with standards established in reg-
14 ulations which the Director shall prescribe, have been des-
15 ignated volunteer leaders on the basis of experience and
16 special skills and a demonstrated leadership among volun-
17 teers.”.

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

20 (1) in paragraph (3)—

21 (A) by striking subparagraph (A);

22 (B) by striking the subparagraph of sub-
23 paragraph (B); and

24 (C) by adding at the end thereof the fol-
25 lowing new sentence: “The Director shall review

1 such adjustments on an annual basis to assure
2 they are current.”; and
3 (2) by striking paragraph (4).

4 **SEC. 425. PARTICIPATION OF YOUNGER AND OLDER PER-**
5 **SONS.**

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

8 “PARTICIPATION OF YOUNGER AND OLDER PERSONS

9 “SEC. 107. In carrying out this part and part C, the
10 Director shall take necessary steps, including the develop-
11 ment of special projects, where appropriate, to encourage
12 the fullest participation of individuals 18 through 27 years
13 of age and individuals 55 years of age and older in the
14 various programs and activities authorized under such
15 parts.”.

16 **SEC. 426. LITERACY ACTIVITIES.**

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

18 (1) in subsection (g)—

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

20 (B) by striking the paragraph designation
21 of paragraph (2); and

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

23 **SEC. 427. APPLICATIONS FOR ASSISTANCE.**

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

1 “APPLICATIONS FOR ASSISTANCE

2 “SEC. 110. The Director shall not deny assistance
3 under this part to any project or program, or any public
4 or private nonprofit organization, solely on the basis of
5 the duration of the assistance such project, program, or
6 organization has previously received under this part. The
7 Director shall grant assistance under this part on the
8 basis of merit and to accomplish the goals of the VISTA
9 program, and shall consider the needs and requirements
10 of existing projects as well as potential new projects.”.

11 **SEC. 428. REPEAL OF AUTHORITY FOR STUDENT COMMU-**
12 **NITY SERVICE PROGRAMS.**

13 Part B of title I (42 U.S.C. 4971 et seq.) is
14 amended—

15 (1) in section 111 (42 U.S.C. 4971(a))—

16 (A) by striking out subsection (a); and

17 (B) by striking out the subsection designa-
18 tion of subsection (b); and

19 (2) by repealing section 114 (42 U.S.C. 4974).

20 **SEC. 429. UNIVERSITY YEAR FOR VISTA.**

21 Part B of title I (42 U.S.C. 4971 et seq.) is
22 amended—

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

1 “PART B—UNIVERSITY YEAR FOR VISTA”;

2 (2) by striking “University Year for ACTION”
3 each place that such appears in such part and in the
4 Act and inserting “University Year for VISTA”;

5 (3) by striking “UYA” each place that such ap-
6 pears in such part and in the Act and inserting
7 “UYV”;

8 (4) in section 112 (42 U.S.C. 4972) by striking
9 the section heading and inserting the following new
10 section heading:

11 “AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA
12 PROGRAM”; AND

13 (5) in section 113(a) (42 U.S.C. 4973(a))—

14 (A) by striking “of not less than the dura-
15 tion of an academic year” and inserting “of not
16 less than the duration of an academic semester
17 or its equivalent”; and

18 (B) by adding at the end thereof the fol-
19 lowing new sentence: “Volunteers may receive a
20 living allowance and such other support or al-
21 lowances as the Director determines appro-
22 priate.”.

1 **SEC. 430. AUTHORITY TO ESTABLISH AND OPERATE SPE-**
2 **CIAL VOLUNTEER AND DEMONSTRATION**
3 **PROGRAMS.**

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

6 “AUTHORITY TO ESTABLISH AND OPERATE SPECIAL
7 VOLUNTEER AND DEMONSTRATION PROGRAMS

8 “SEC. 122. (a) IN GENERAL.—The Director is au-
9 thorized to conduct or award grants or contracts to public
10 and nonprofit organizations for special volunteer programs
11 or demonstration programs to encourage wider volunteer
12 participation on a full-time, part-time, or short-term basis
13 to further the purpose of this part, and to identify particu-
14 lar segments of the poverty community which could benefit
15 from volunteer and other antipoverty efforts. The assign-
16 ment of volunteers under this section, and the provision
17 of support for such volunteers, including any subsistence
18 allowances and stipends, shall be on such terms and condi-
19 tions as the Director shall determine but shall not exceed
20 the level of support provided under section 105. Projects
21 using nonstipend volunteers may also be supported under
22 this section.

23 “(b) CRITERIA.—In carrying out the activities au-
24 thorized under this section and section 123, the Director
25 shall establish criteria and priorities to award grants and
26 enter into contracts in each fiscal year. No grant or con-

1 tract exceeding \$100,000 shall be made under this part
2 unless the grantee or contractor has been selected by a
3 competitive process which includes public announcement
4 of the availability of funds for such grant or contract, gen-
5 eral criteria for the selection of recipients or contractors,
6 and a description of the application process and applica-
7 tion review process.”.

8 **SEC. 431. TECHNICAL AND FINANCIAL ASSISTANCE.**

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

10 “TECHNICAL AND FINANCIAL ASSISTANCE

11 “SEC. 123. The Director may provide technical and
12 financial assistance to Federal agencies, State and local
13 governments and agencies, private nonprofit organiza-
14 tions, employers, and other private organizations which
15 utilize or desire to utilize volunteers in carrying out the
16 purpose of this part.”.

17 **SEC. 432. ELIMINATION OF SEPARATE AUTHORITY FOR**
18 **DRUG ABUSE PROGRAMS.**

19 Section 124 (42 U.S.C. 4994) is repealed.

20 **CHAPTER 2—NATIONAL SENIOR**
21 **VOLUNTEER CORPS**

22 **SEC. 441. NATIONAL SENIOR VOLUNTEER CORPS.**

23 (a) REFERENCES.—The Act is amended by striking
24 “Older American Volunteer Programs” each place that
25 such appears and inserting “National Senior Volunteer
26 Corps.”.

1 (b) TITLE HEADING.—The heading for title II is
2 amended to read as follows:

3 **“TITLE II—NATIONAL SENIOR**
4 **VOLUNTEER CORPS”.**

5 **SEC. 442. THE RETIRED AND SENIOR VOLUNTEER PRO-**
6 **GRAM.**

7 Section 200 (42 U.S.C. 5000) is amended by striking
8 “retired senior volunteer program” each place that such
9 appears in such section and the Act and inserting “retired
10 and senior volunteer program”.

11 **SEC. 443. OPERATION OF THE RETIRED AND SENIOR VOL-**
12 **UNTEER PROGRAM.**

13 (a) ELIGIBILITY FOR PARTICIPANTS IN THE PRO-
14 GRAM.—Section 201(a) (42 U.S.C. 5001(a)) is
15 amended—

16 (1) in the matter preceding paragraph (1), by
17 inserting “and older working” after “retired”; and

18 (2) in paragraph (2), by striking “aged sixty”
19 and inserting “aged fifty-five”.

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

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

23 (2) by redesignating subsection (d) as sub-
24 section (c).

1 **SEC. 444. SERVICES UNDER THE FOSTER GRANDPARENT**
2 **PROGRAM.**

3 Section 211(a) (42 U.S.C. 5011(a)) is amended—

4 (1) by striking “receiving care in hospitals,
5 homes for dependent and neglected children, or
6 other establishments providing care for children with
7 special needs” and inserting “receiving care in hos-
8 pitals; residing in homes for dependent and ne-
9 glected children; and participating in day care cen-
10 ters, schools, Head Start projects, and a variety of
11 other establishments and institutions providing serv-
12 ices for children with special or exceptional needs”;
13 and

14 (2) by inserting after the first sentence the fol-
15 lowing new sentence: “Individual foster grand-
16 parents may provide person-to-person services to one
17 or more children depending upon the needs of the
18 project and local site.”.

19 **SEC. 445. STIPENDS FOR LOW-INCOME VOLUNTEERS.**

20 Section 211(d) (42 U.S.C. 5011(d)) is amended in
21 the second sentence by striking “Any stipend or allowance
22 provided under this subsection shall not be less than \$2.20
23 per hour until October 1, 1990, \$2.35 per hour during
24 fiscal year 1991, and \$2.50 per hour and after October
25 1, 1992,” and inserting “Any stipend or allowance pro-
26 vided under this section shall not be less than \$2.45 per

1 hour on and after October 1, 1993, and shall be adjusted
2 once during the period of 1993 through 1997 to account
3 for inflation, as determined by the Director and rounded
4 to the nearest five cents,”.

5 **SEC. 446. PARTICIPATION OF NON-LOW-INCOME PERSONS**
6 **UNDER PARTS B AND C.**

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

9 “(f) Individuals who are not low-income persons may
10 serve as volunteers under parts B and C, in accordance
11 with such regulations as the Director shall issue, at the
12 discretion of the local project and without receiving any
13 allowance, stipend, or other financial support except reim-
14 bursement for transportation, meals, and out-of-pocket ex-
15 penses incident to serving.”

16 **SEC. 447. CONDITIONS OF GRANTS AND CONTRACTS.**

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

18 **SEC. 448. EVALUATION OF THE SENIOR COMPANION PRO-**
19 **GRAM.**

20 Paragraph (3) of section 213(c) (42 U.S.C.
21 5013(c)(3)) is repealed.

22 **SEC. 449. AGREEMENTS WITH OTHER FEDERAL AGENCIES.**

23 Section 221(a) (42 U.S.C. 5021) is amended by add-
24 ing at the end thereof the following new sentence: “The
25 Director is encouraged to enter into agreements with the

1 Department of Health and Human Services to provide fos-
2 ter grandparents in Head Start projects, to use Medicaid
3 funds where cost-effective in involving Senior Companions
4 in health care arrangements, and to promote in-home care
5 in cooperation with the Administration on Aging, with the
6 Department of Education to promote intergenerational tu-
7 toring and mentoring for at-risk children, and with the
8 Environmental Protection Agency to support conservation
9 efforts.”.

10 **SEC. 450. PROGRAMS OF NATIONAL SIGNIFICANCE.**

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

12 (1) in subsection (a)—

13 (A) by striking paragraph (1) and insert-
14 ing the following new paragraph:

15 “(1) The Director is authorized to make grants under
16 the programs authorized in parts A, B, and C of this title
17 to support programs that address national problems that
18 are also of local concern. The Director may, in any fiscal
19 year, determine which programs of national significance
20 will receive priority in that year.”;

21 (B) by striking “paragraph (10)” in para-
22 graph (2)(B) and inserting “paragraphs (10)
23 and (12)”; and

1 (C) by striking “and (10)” in paragraph
2 (2)(C) and inserting “(10), (12), (15), and
3 (16)”;

4 (2) in subsection (b), by adding at the end
5 thereof the following new paragraphs:

6 “(12) Programs that address environmental
7 needs.

8 “(13) Programs that reach out to organizations
9 not previously involved in addressing local needs,
10 such as labor unions and profit-making organiza-
11 tions.

12 “(14) Programs that provide for ethnic out-
13 reach.

14 “(15) Programs that support criminal justice
15 activities.

16 “(16) Programs that involve older volunteers
17 working with young people in apprenticeship pro-
18 grams.”; and

19 (5) in subsection (d), by striking paragraph (1)
20 and inserting the following new paragraph:

21 “(1) Except as provided in paragraph (2), in each
22 fiscal year there shall be available to the Director to make
23 grants under subsection (a) such sums as necessary.”.

1 **SEC. 451. ADJUSTMENTS TO FEDERAL FINANCIAL ASSIST-**
2 **ANCE.**

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

4 (1) by striking subparagraph (B) of subsection
5 (a)(1) and all that follows through subsection (b);
6 and

7 (B) by striking “(a)(1)(A)”.

8 **SEC. 452. ARRANGEMENTS WITH PRIVATE, PROFIT-MAKING**
9 **ORGANIZATIONS.**

10 Part D of title II (42 U.S.C. 5021) is amended by
11 adding at the end thereof the following new section:

12 “ARRANGEMENTS WITH PRIVATE, PROFIT-MAKING
13 ORGANIZATIONS

14 “SEC. 228. The Director and grantees funded under
15 this title may enter into arrangements with profit-making
16 organizations so as to offer the services of Senior Compan-
17 ions, Foster Grandparents, and Retired Senior Volunteers
18 to those profit-making organizations, including their em-
19 ployees and relatives, on the condition that all costs of the
20 services, including administrative expenses, are paid for
21 by the profit-making organization and that there is no im-
22 pact on the ACTION funded project to provide services
23 to the community under the grant.”.

24 **SEC. 453. DEMONSTRATION PROGRAMS.**

25 Title II is amended by adding at the end thereof the
26 following new part:

1 “PART E—DEMONSTRATION PROGRAMS

2 “AUTHORITY OF DIRECTOR

3 “SEC. 231. The Director is authorized to make
4 grants or contracts to public and nonprofit organizations,
5 including the organizations funded under parts A, B, and
6 C, for the purposes of demonstrating innovative activities
7 involving older Americans as volunteers. The Director may
8 support both nonstipend and stipended volunteers under
9 this part. Funding may be provided for activities such
10 as—

11 “(1) linking youth groups and older American
12 organizations in volunteer activities;

13 “(2) involving older volunteers in programs and
14 activities different from those currently supported in
15 the community; and

16 “(3) testing whether older American volunteer
17 programs may contribute to new objectives or cer-
18 tain national priorities.

19 “PROHIBITION

20 “SEC. 232. The Director may not reduce the activi-
21 ties, projects, or volunteers funded under the other parts
22 of this title in order to support projects under this part.”.

23 **CHAPTER 3—ADMINISTRATION**

24 **SEC. 461. PURPOSE OF AGENCY.**

25 Section 401 (42 U.S.C. 5041) is amended by insert-
26 ing after the first sentence the following: “This Agency

1 shall also promote the coordination of volunteer efforts
2 among Federal, State, and local agencies and organiza-
3 tions, exchange technical assistance information among
4 them, and provide technical assistance to other nations
5 concerning domestic volunteer programs within their coun-
6 tries.”.

7 **SEC. 462. AUTHORITY OF THE DIRECTOR.**

8 Section 402 (42 U.S.C. 5042) is amended—

9 (1) in paragraphs (5) and (6), by inserting “so-
10 licit and” before “accept” in each such paragraph;

11 (2) in paragraph (13), by striking “and” at the
12 end thereof;

13 (3) by redesignating paragraph (14) as para-
14 graph (15); and

15 (4) by inserting after paragraph (13) the fol-
16 lowing new paragraph:

17 “(14) enter into arrangements with private,
18 profit-making organizations under terms and condi-
19 tions determined by the Director when such agree-
20 ments will further the purposes of the Act; and”.

21 **SEC. 463. COMPENSATION FOR VOLUNTEERS.**

22 Section 404(c) (42 U.S.C. 5044(c)) is amended by
23 inserting “from such volunteers or beneficiaries” after
24 “compensation”.

1 **SEC. 464. REPEAL OF REPORT ON ANNUAL RECRUITMENT**
2 **PLAN.**

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

4 **SEC. 465. APPLICATION OF FEDERAL LAW.**

5 Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is
6 amended by striking “grade GS-7” and inserting “grade
7 GS-5”.

8 **SEC. 466. EVALUATION OF PROGRAMS.**

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

10 (1) in subsection (a)—

11 (A) by striking “(including the VISTA Lit-
12 eracy Corps which shall be evaluated as a sepa-
13 rate program at least once every 3 years)” in
14 the first sentence; and

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

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

19 “(b) In carrying out evaluations of ACTION’s pro-
20 grams, the Director shall create appropriate management
21 information systems that will summarize volunteer activi-
22 ties and accomplishments across the programs supported
23 under this Act. The Director shall report this information
24 on a periodic basis.”; and

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

1 **SEC. 467. NONDISCRIMINATION PROVISIONS.**

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

4 “NONDISCRIMINATION PROVISIONS

5 “SEC. 417. (a) IN GENERAL.—An individual with re-
6 sponsibility for the operation of a project that receives as-
7 sistance under this Act shall not discriminate against a
8 participant or member of the staff of such project on the
9 basis of race, color, national origin, sex, age, disability,
10 or political affiliation of such participant or member.

11 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
12 ance provided under this Act shall constitute Federal fi-
13 nancial assistance for purposes of title VI of the Civil
14 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
15 of the Education Amendments of 1972 (20 U.S.C. 1681
16 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701
17 et seq.), the Age Discrimination Act of 1975 (42 U.S.C.
18 6101 et seq.), and the regulations issued under such Acts.

19 (c) RELIGIOUS DISCRIMINATION.—

20 (1) IN GENERAL.—Except as provided in para-
21 graph (2), an individual with responsibility for the
22 operation of a project that receives assistance under
23 this Act shall not discriminate on the basis of reli-
24 gion against a participant or a member of the
25 project staff who is paid with funds received under
26 this Act.

1 (2) EXCEPTION.—Paragraph (1) shall not
2 apply to the employment, with assistance provided
3 under this Act, of any member of the staff of a
4 project that receives assistance under this Act who
5 was employed with the organization operating the
6 project on the date the grant under this Act was
7 awarded.

8 (d) RULES AND REGULATIONS.—The Director shall
9 promulgate rules and regulations to provide for the en-
10 forcement of this section that shall include provisions for
11 summary suspension of assistance for not more than 30
12 days, on an emergency basis, until notice and an oppor-
13 tunity to be heard can be provided.”.

14 **SEC. 468. ELIMINATION OF SEPARATE REQUIREMENTS FOR**
15 **SETTING REGULATIONS.**

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

17 **SEC. 469. CLARIFICATION OF ROLE OF INSPECTOR GEN-**
18 **ERAL.**

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

20 (1) in subsection (a), by inserting “and the In-
21 specter General of ACTION” after “Director”; and

22 (2) in subsection (b), by inserting “, the Inspec-
23 tor General of ACTION,” after “Director” each
24 place that such appears.

1 **SEC. 470. COPYRIGHT PROTECTION.**

2 Title IV is amended by adding at the end thereof,
3 the following new section:

4 “COPYRIGHT PROTECTION

5 “SEC. 426. (a) IN GENERAL.—The following are
6 hereby declared the property of the United States:

7 “(1) The name ‘Retired and Senior Volunteer
8 Program’ and the logo and acronym, ‘RSVP’, associ-
9 ated therewith;

10 “(2) The name ‘Foster Grandparent Program’
11 and the logo and acronym, ‘FGP’, associated there-
12 with;

13 “(3) The name ‘Senior Companion Program’
14 and the logo and acronym, ‘SCP’, associated there-
15 with;

16 “(4) The name ‘Volunteers in Service to Amer-
17 ica’ and the logo and acronym, ‘VISTA’, associated
18 therewith; and

19 “(5) The name ‘National Senior Volunteer
20 Corps’.

21 “(b) SPECIAL ACCOUNT.—The Director shall deposit
22 into a special account, to be available to foster and expand
23 volunteerism consistent with this Act, all fees collected
24 under regulations prescribed by the Director relating to
25 use or reproduction of the property described in subsection
26 (a) by entities other than ACTION.

1 “(c) IMPROPER USE.—

2 “(1) IN GENERAL.—Whoever, except as per-
3 mitted by the laws of the United States and regula-
4 tions issued by the Director—

5 “(A) uses the names ‘ACTION’, ‘National
6 Senior Volunteer Corps’, ‘Retired and Senior
7 Volunteer Program’ (or its acronym, ‘RSVP’),
8 ‘Foster Grandparent Program’ (or its acronym,
9 ‘FGP’), ‘Senior Companion Program’ (or its ac-
10 ronym, ‘SCP’), or ‘Volunteers in Service to
11 America’ (or its acronym, ‘VISTA’), as part of
12 the business or firm name of a person, corpora-
13 tion, partnership, association or other business
14 entity; or

15 “(B) falsely advertises or represents, or
16 publishes or displays any sign, symbol or adver-
17 tisement reasonably calculated to convey the
18 impression that the entity is affiliated with,
19 funded by, or operating under the authority of
20 ACTION or any of its locally funded programs;
21 may be enjoined under an action filed by the Attor-
22 ney General, upon a complaint by the Director.

23 “(2) EXCEPTION.—This section shall not make
24 unlawful the use of any name or title which was law-
25 ful on the date of enactment of this section.

1 “(d) DEFINITIONS.—For purposes of this section:

2 “(1) FOSTER GRANDPARENT PROGRAM.—The
3 term ‘Foster Grandparent Program’ means the pro-
4 gram established under part B of title II.

5 “(2) NATIONAL SENIOR VOLUNTEER CORPS.—
6 The term ‘National Senior Volunteer Corps’ means
7 the programs established under parts A, B, C, and
8 E of title II.

9 “(3) RETIRED AND SENIOR VOLUNTEER PRO-
10 GRAM.—The term ‘Retired and Senior Volunteer
11 Program’ means the program established under part
12 A of title II.

13 “(4) SENIOR COMPANION PROGRAM.—The term
14 ‘Senior Companion Program’ means the program es-
15 tablished under part C of title II.

16 “(5) VOLUNTEERS IN SERVICE TO AMERICA.—
17 The terms ‘Volunteers in Service to America’ and
18 ‘VISTA’ mean the program established under part A
19 of title I.”.

20 **SEC. 471. CENTER FOR RESEARCH AND TRAINING.**

21 Title IV (as amended by section 470) is further
22 amended by at the end thereof the following new section:

23 “CENTER FOR RESEARCH AND TRAINING

24 SEC. 427. There is established within ACTION a
25 Center for Research and Training on Volunteerism. The
26 Center shall carry out research concerning the impact of

1 volunteerism on individuals, organizations, and commu-
2 nities. The Center shall provide training to help improve
3 programs across the country. The Center may award
4 grants to, or enter into contracts with, organizations in
5 order to carry out its responsibilities.”.

6 **SEC. 472. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**
7 **A VOLUNTEER.**

8 (a) CIVIL SERVICE RETIREMENT SYSTEM.—

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

11 (A) in paragraph (1), by inserting “as a
12 full-time volunteer enrolled in a program of at
13 least 1 year’s duration under part A, B, or C
14 of title I of the Domestic Volunteer Service Act
15 of 1973,” after “Economic Opportunity Act of
16 1964,”; and

17 (B) by adding at the end thereof the fol-
18 lowing new paragraph:

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

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

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

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

8 “(1)(1) Each employee or Member who has performed
9 service as a volunteer or volunteer leader under part A
10 of title VIII of the Economic Opportunity Act of 1964 or
11 as a full-time volunteer enrolled in a program of at least
12 1 year’s duration under part A, B, or C of title I of the
13 Domestic Volunteer Service Act of 1973, before the date
14 of separation from service on which the entitlement to any
15 annuity under this subchapter is based may pay, in ac-
16 cordance with such regulations as the Office of Personnel
17 Management shall issue, to the agency by which the em-
18 ployee is employed or, in the case of a Member or a Con-
19 gressional employee, to the Secretary of the Senate or the
20 Clerk of the House of Representatives, as appropriate, an
21 amount equal to 7 percent of the readjustment allowance
22 paid to the employee or Member under section 803 of the
23 Economic Opportunity Act of 1964 or section 105(a) or
24 the Domestic Volunteer Service Act of 1973 for each pe-
25 riod of service as such a volunteer or volunteer leader.

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

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

5 “(B) the date on which the employee or Mem-
6 ber making the deposit first becomes an employee or
7 Member,

8 shall include interest on such amount, computed and com-
9 puted annually beginning on the date of the expiration of
10 the 2-year period. The interest rate that is applicable in
11 computing interest in any year under this paragraph shall
12 be equal to the interest rate that is applicable for such
13 year under subsection (e).

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

19 “(4) The Director of ACTION shall furnish such in-
20 formation to the Office to the Personnel Management as
21 the Office may determine to be necessary for the adminis-
22 tration of this subsection.”.

23 (B) Section 8334(e) of title 5, United
24 States Code, is amended in paragraphs (1) and

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

3 (b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

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

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

9 (B) by adding at the end thereof the fol-
10 lowing new subsection:

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

21 (2) DEDUCTIONS, CONTRIBUTIONS.—Section
22 8422 of title 5, United States Code, is amended by
23 adding at the end thereof the following new sub-
24 section:

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

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

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

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

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

16 “(4) The Director of ACTION shall furnish such in-
17 formation to the Office of Personnel Management as the
18 Office may determine to be necessary for the administra-
19 tion of this subsection.”

20 (c) APPLICABILITY AND OTHER PROVISIONS.—

21 (1) APPLICABILITY.—

22 (A) The amendments made by subsections
23 (a) and (b) shall apply with respect to credit for
24 service as a volunteer or volunteer leader under
25 the Economic Opportunity Act of 1964 or the

1 Domestic Volunteer Service Act of 1973 to indi-
2 viduals who are entitled to an annuity on the
3 basis of a separation from service occurring be-
4 fore, on, or after the effective date of this Act.

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

16 (C) In the case of any individual who is
17 entitled to an annuity under subchapter III of
18 chapter 83 of title 5, United States Code, credit
19 for service under such subchapter III shall be
20 subject to paragraphs (2) through (6).

21 (2) OLD AGE OR SURVIVOR'S ENTITLEMENT.—
22 Subject to paragraph (3), in any case in which an
23 individual described in paragraph (1)(C) is also enti-
24 tled to old age or survivor's insurance benefits under
25 section 202 of the Social Security Act (or would be

1 entitled to such benefits upon filing an application
2 therefore), the amount of the annuity to which such
3 individual is entitled under subchapter III of chapter
4 83 of title 5, United States Code (after taking in ac-
5 count service as a volunteer or volunteer leader
6 under the Economic Opportunity Act of 1964 and
7 the Domestic Volunteer Service Act of 1973) which
8 is payable for any month shall be reduced by an
9 amount determined by multiplying the amount of
10 such old-age or survivor's insurance benefit for the
11 determination month by a fraction—

12 (A) the numerator of which is the total of
13 the wages (within the meaning of section 209 of
14 the Social Security Act) for service as a volun-
15 teer or volunteer leader under the Economic
16 Opportunity Act of 1964 and the Domestic Vol-
17 unteer Service Act of 1973 of such individual
18 credited for years before the calendar year in
19 which the determination month occurs, up to
20 the contribution and benefit base determined
21 under section 230 of the Social Security Act (or
22 other applicable maximum annual amount re-
23 ferred to in section 215(e)(1) of such Act for
24 each year); and

1 (B) the denominator of which is the total
2 of all wages described in subparagraph (A),
3 plus all other wages (within the meaning of sec-
4 tion 209 of such Act) and all self-employment
5 income (within the meaning of section 211(b) of
6 such Act) of such individual credited for years
7 after 1936 and before the calendar year in
8 which the determination month occurs, up to
9 the contribution and benefit base (of such other
10 amount referred to in section 215(e)(1) of such
11 Act) for each such year.

12 (3) LIMITATION.—Paragraph (2) shall not re-
13 duce the annuity of an individual below the amount
14 of the annuity which would be payable to the indi-
15 vidual for the determination month if service of a
16 volunteer or volunteer leader under the Economic
17 Opportunity Act of 1964 or the Domestic Volunteer
18 Service Act of 1973 were not creditable in the com-
19 putation of the individual's annuity for such month.

20 (4) DETERMINATION MONTH.—For purposes of
21 this subsection, the term “determination month”
22 means—

23 (A) the first month the individual de-
24 scribed in paragraph (1)(C) is entitled to old-
25 age or survivor's benefits under section 202(a)

1 of the Social Security Act (or would be entitled
2 to such benefits upon filing an application
3 therefore); or

4 (B) the first calendar month beginning
5 after the date of enactment of this Act, in the
6 case of any individual entitled to such benefits
7 for such month.

8 (5) EFFECTIVE DATE.—The provisions of para-
9 graphs (2) through (4) shall take effect with respect
10 to any annuity payment payable under subchapter
11 III of chapter 83 of title 5, United States Code, for
12 calendar months beginning after the date of enact-
13 ment of this Act.

14 (6) FURNISHING OF INFORMATION.—The Sec-
15 retary of Health and Human Services shall furnish
16 such information to the Office of Personnel Manage-
17 ment as may be necessary to carry out the provi-
18 sions of this subsection.

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

1 make a deposit under this section, of such entitle-
2 ment.

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

5 **SEC. 481. AUTHORIZATION OF APPROPRIATIONS FOR TITLE**

6 **I.**

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

9 “NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

10 “SEC. 501. (a) AUTHORIZATIONS.—

11 “(1) VOLUNTEERS IN SERVICE TO AMERICA.—

12 There are authorized to be appropriated to carry out
13 part A of title I, excluding sections 104(e) and 109,
14 such sums as may be necessary for each of the fiscal
15 years 1994 through 1998.

16 “(2) SUMMER PROGRAM.—There are authorized
17 to be appropriated to carry out section 104(e), such
18 sums as may be necessary for each of the fiscal
19 years 1994 through 1998.

20 “(3) LITERACY ACTIVITIES.—There are author-
21 ized to be appropriated to carry out section 109,
22 such sums as may be necessary for each of the fiscal
23 years 1994 through 1998.

24 “(4) STUDENT COMMUNITY SERVICE PRO-
25 GRAMS.—There are authorized to be appropriated to
26 carry out part B of title I, such sums as may be nec-

1 essary for each of the fiscal years 1994 through
2 1998.

3 “(5) SPECIAL VOLUNTEER PROGRAMS.—There
4 are authorized to be appropriated to carry out part
5 C of title I, excluding section 125, such sums as may
6 be necessary for each of the fiscal years 1994
7 through 1998.

8 “(6) LITERACY CHALLENGE GRANTS.—There
9 are authorized to be appropriated to carry out sec-
10 tion 125, such sums as may be necessary for each
11 of the fiscal years 1994 through 1998.

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

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

1 “(d) AVAILABILITY.—Amounts appropriated for part
2 A of title I shall remain available for obligation for a 2-
3 year period.

4 “(e) VOLUNTEER SERVICE REQUIREMENT.—Of the
5 amounts appropriated under this section for parts A, B,
6 and C of title I, including section 125, there shall first
7 be available for part A of title I an amount not less than
8 the amount necessary to provide 5,500 volunteer service
9 years in fiscal year 1994, and 7,500 volunteer service
10 years in each of fiscal years 1995, 1996, 1997, and 1998.
11 If funds are insufficient to meet this requirement, the Di-
12 rector shall submit a plan to the relevant authorizing and
13 appropriations committees of Congress that will detail
14 what is necessary to fully meet this requirement.”.

15 **SEC. 482. AUTHORIZATION OF APPROPRIATIONS FOR TITLE**

16 **II.**

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

19 “NATIONAL SENIOR VOLUNTEER CORPS

20 “SEC. 502. (a) RETIRED AND SENIOR VOLUNTEER
21 PROGRAM.—There are authorized to be appropriated to
22 carry out part A of title II, such sums as may be necessary
23 for each of the fiscal years 1994 through 1998.

24 “(b) FOSTER GRANDPARENT PROGRAM.—There are
25 authorized to be appropriated to carry out part B of title

1 II, such sums as may be necessary for each of the fiscal
2 years 1994 through 1998.

3 “(c) SENIOR COMPANION PROGRAM.—There are au-
4 thorized to be appropriated to carry out part C of title
5 II, such sums as may be necessary for each of the fiscal
6 years 1994 through 1998.

7 “(d) DEMONSTRATION PROGRAMS.—There are au-
8 thorized to be appropriated to carry out part E of title
9 II, such sums as may be necessary for each of the fiscal
10 years 1994 through 1998.”.

11 **SEC. 483. AUTHORIZATION OF APPROPRIATIONS FOR TITLE**

12 **IV.**

13 Section 504 (42 U.S.C. 5084) is amended to read as
14 follows:

15 “ADMINISTRATION AND COORDINATION

16 “SEC. 504 (a) IN GENERAL.—For each of the fiscal
17 years 1994 through 1997, there are authorized to be ap-
18 propriated for the administration of this Act as provided
19 for in title IV, 20 percent of the total amount appropriated
20 under sections 501, 502, and title VII with respect to such
21 year.

22 “(b) EVALUATION AND CENTER FOR RESEARCH AND
23 TRAINING.—For each of the fiscal years 1994 through
24 1998, the Director is authorized to expend not less than
25 one-half of 1 percent, nor more than 1 percent, from the

1 amounts appropriated under sections 501, 502, and title
2 VII for the purposes prescribed in sections 416 and 427.”.

3 **SEC. 484. CONFORMING AMENDMENTS; COMPENSATION**
4 **FOR VISTA FECA CLAIMANTS.**

5 Section 8143(b) of title 5, United States Code, is
6 amended by striking “GS-7” and inserting “GS-5”.

7 **SEC. 485. REPEAL OF AUTHORITY FOR YOUTHBUILD PRO-**
8 **GRAM.**

9 Title VII (42 U.S.C. 5051 et seq.) is repealed.

10 **SEC. 486. EFFECTIVE DATE.**

11 This subtitle shall become effective on October
12 1, 1993, or on the date of enactment of this Act,
13 whichever is later.

14 **TITLE V—TECHNICAL AND**
15 **CONFORMING AMENDMENTS**

16 **SEC. 501. DEFINITION OF DIRECTOR.**

17 The Domestic Volunteer Service Act of 1973 is
18 amended—

19 (1) in section 421 (42 U.S.C. 5061), by striking
20 paragraph (1) and inserting the following new para-
21 graph:

22 “(1) the term ‘Director’ means the Chairperson
23 and Executive Director of the Corporation for Na-
24 tional Service appointed under section 191C of the

1 National and Community Services Act of 1990;”;
2 and

3 (2) in section 713 (42 U.S.C. 5091l) by striking
4 paragraph (2) and inserting the following new para-
5 graph:

6 “(2) DIRECTOR.—The term ‘Director’ means
7 the Chairperson and Executive Director of the Cor-
8 poration for National Service appointed under sec-
9 tion 191C of the National and Community Services
10 Act of 1990.”.

11 **SEC. 502. REFERENCES TO ACTION AND THE ACTION AGEN-**
12 **CY IN THE NATIONAL SERVICE LAWS.**

13 (a) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—
14 The Domestic Volunteer Service Act of 1973 is amended
15 as follows:

16 (1) Section 2(b) (42 U.S.C. 4950(b)) is
17 amended—

18 (A) by striking “ACTION, the Federal do-
19 mestic volunteer agency,” and inserting “this
20 Act”; and

21 (B) by striking “ACTION” and inserting
22 “the Corporation for National Service”.

23 (2) Section 103(b) (42 U.S.C. 4953(b)) is
24 amended—

1 (A) in paragraph (2)(A), by striking “the
2 national headquarters of the ACTION Agency”
3 and inserting “the Corporation”;

4 [reference to regional employee] (B) in
5 paragraph (2)(C), by striking “the ACTION
6 Agency” and inserting “the Corporation”;

7 (C) in paragraph (5)—

8 (i) by striking “the ACTION Agency”
9 both places it appears and inserting “the
10 Corporation”; and

11 (ii) by striking “of the Agency”; and
12 [reference to regional office] (D) in para-
13 graph (6)—

14 (i) by striking “the ACTION Agency”
15 and inserting “the Corporation”; and

16 (ii) by striking “the regional ACTION
17 office” and inserting “the office of the
18 Corporation”.

19 (3) Section 103(c)(1)(D) (42 U.S.C.
20 4953(c)(1)(D)) is amended by striking “the AC-
21 TION Agency” and inserting “the Corporation”.

22 (4) Section 105(b) (42 U.S.C. 4955(b)) is
23 amended—

1 **【reference to regional office】** (A) in para-
2 graph (3)(A), by striking “the ACTION Agen-
3 cy” and inserting “the Corporation”; and

4 **【reference to regional office】** (B) in para-
5 graph (4), by striking “the ACTION Agency”
6 and inserting “the Corporation”.

7 (5) NOTE: Sections 111, 112, and 113 refer to
8 the “University Year for ACTION (UYA)” program.
9 What should be done about this reference?

10 (6) Section 125(b) (42 U.S.C. 4995(b)) is
11 amended by striking “the ACTION Agency” and in-
12 serting “the Corporation”.

13 (7) Section 225(e) (42 U.S.C. 5025(e)) is
14 amended by striking “the ACTION Agency” and in-
15 serting “the Corporation”.

16 (8) Section 403(a) (42 U.S.C. 5043(a)) is
17 amended—

18 (A) by striking “the ACTION Agency” the
19 first place it appears and inserting “the Cor-
20 poration under this Act”; and

21 (B) by striking “the ACTION Agency” the
22 second place it appears and inserting “the Cor-
23 poration”.

(9) Section 407(5) (42 U.S.C. 5047(5)) is amended by striking “the ACTION Agency” and inserting “the Corporation”.

(10) Section 408 (42 U.S.C. 5048) is amended
by striking “the ACTION Agency” and inserting
“the Corporation”.

(11) Section 416(f)(1) (42 U.S.C. 5056(f)(1))
is amended by striking “ACTION Agency” and in-
serting “Corporation”.

(12) Section 420(b) (42 U.S.C. 5060(b)) is amended by striking “the ACTION Agency” and inserting “the Corporation”.

13 (13) Section 702(a) (42 U.S.C. 5091a(a)) is
14 amended by striking “of the ACTION Agency”.

15 (b) NATIONAL AND COMMUNITY SERVICE ACT OF
16 1990.—[To be Added]

17 **SEC. 503. REFERENCES TO ACTION AND THE ACTION AGEN-**
18 **CY IN OTHER LAWS.**

19 (a) INSPECTOR GENERAL.—Section 8E(a)(2) of the
20 Inspector General Act of 1978 (5 U.S.C. App.) is
21 amended—

22 (1) by striking “ACTION,”; and

(2) by inserting “the Corporation for National Service,” after “the Consumer Product Safety Commission,”.

1 (b) PUBLIC HOUSING SECURITY.—Section 207(c) of
2 the Public Housing Security Demonstration Act of 1978
3 (Public Law 95–557; 92 Stat. 2093; 12 U.S.C. 1701z–
4 6 note) is amended—

5 (1) in paragraph (3)(ii), by striking “Action”
6 and inserting “the Corporation for National Serv-
7 ice”; and

8 (2) in paragraph (4), by striking “Action” and
9 inserting “the Corporation for National Service”.

10 (c) NATIONAL FOREST VOLUNTEERS.—Section 1 of
11 the Volunteers in the National Forests Act of 1972 (16
12 U.S.C. 558a) is amended by striking “Action” and insert-
13 ing “the Corporation for National Service”.

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

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

22 (f) OLDER AMERICANS.—The Older Americans Act
23 of 1965 is amended—

24 (1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)),
25 by striking “the Director of the ACTION Agency”

1 and inserting “the Corporation for National Serv-
2 ice”;

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

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

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

17 (h) AGING RESOURCE SPECIALISTS.—Section 205(c)
18 of the Older American Amendments of 1975 (Public Law
19 94–135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

20 (1) in paragraph (1)—

21 (A) by striking “the ACTION Agency,”
22 and inserting “the Corporation for National
23 Service,”; and

1 (B) by striking “the Director of the AC-
2 TION Agency” and inserting “the Executive
3 Director of the Corporation;

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

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

8 “(A) the term ‘Corporation’ means the Cor-
9 poration for National Service established by section
10 191 of the National and Community Service Act of
11 1990.”.

12 (i) PROMOTION OF PHOTOVOLTAIC ENERGY.—Sec-
13 tion 11(a) of the Solar Photovoltaic Energy Research, De-
14 velopment, and Demonstration Act of 1978 (42 U.S.C.
15 5590) is amended by striking “the Director of ACTION,”.

16 (j) COORDINATING COUNCIL ON JUVENILE JUS-
17 TICE.—Section 206(a)(1) of the Juvenile Justice and De-
18 linquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1))
19 is amended by striking “the Director of the ACTION
20 Agency” and inserting “the Executive Director of the Cor-
21 poration for National Service”.

22 (k) ENERGY CONSERVATION.—Section 413(b)(1) of
23 the Energy Conservation and Production Act (42 U.S.C.
24 6863(b)(1)) is amended by striking “the Director of the
25 ACTION Agency,”.

1 (l) INTERAGENCY COUNCIL ON THE HOMELESS.—

2 Section 202(a) of the Stewart B. McKinney Homeless As-
3 sistance Act (42 U.S.C. 11312(a)) is amended by striking
4 paragraph (12) and inserting the following new para-
5 graph:

6 “(12) The Executive Director of the Corpora-
7 tion for National Service, or the designee of the Ex-
8 ecutive Director.”.

9 (m) ANTI-DRUG ABUSE.—Section 3601 of the Anti-
10 Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended
11 by striking paragraph (6) and inserting the following new
12 paragraph:

13 “(6) the term ‘Director’ means the Chairperson
14 and Executive Director of the Corporation for Na-
15 tional Service,”.

16 (n) ADMINISTRATION CHILDREN, YOUTH, AND FAMI-
17 LIES.—Section 916(b) of the Claude Pepper Young Amer-
18 icans Act of 1990 (42 U.S.C. 13212(b)) is amended by
19 striking “the Director of the ACTION Agency” and in-
20 serting “the Executive Director of the Corporation for Na-
21 tional Service”.

22 **SEC. 504. DEFINITION OF CORPORATION.**

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

1 (1) by striking “and” at the end of paragraph
2 (6);

3 (2) by striking the period at the end of para-
4 graph (7) and inserting “; and”; and

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

7 “(8) the term ‘Corporation’ means the Corpora-
8 tion for National Service established under section
9 191 of the National and Community Service Act of
10 1990.”.

11 **SEC. 505. REFERENCES TO COMMISSION.**

12 **【To be supplied.】**

13 **SEC. 506. EFFECTIVE DATE.**

14 (a) ACTION.—The amendments made by sections
15 501 through 503 shall take effect on the effective date
16 of section 203.

17 (b) COMMISSION.—The amendments made by sec-
18 tions 504 and 505 will take effect on October 1, 1993.

19 **【Other amendments to be supplied】**

April 26, 1993

To: Shirley and Jack

From: Catherine Milton

MEMORANDUM

It is obvious that you have been working very hard and have produced a draft that is impressive.

Because we got the draft on Saturday we haven't had time as a staff to review or discuss comments. I know you are on a tight schedule so I am giving you comments directly from staff as I receive them.

Some general overall suggestions.

1. We don't like the overall scheme for Serve-America. Two problems:
 - a) Don't like locals applying directly - could require massive administration and undercuts states;
 - b) Need to make sure plan is extra funding for states that perform well.

2. Consider having the name of corporation include "community service" in addition to "national service." This will help in two ways.

A. Republicans, Libertarians who are upset with the term "national service" as "big government" looking over you.

B. Gives strength to notion of promoting service learning in schools, at local level, without stipends.

3. Like language in our current statute on evaluations better than what is in draft.

4. Need more restriction on organizations under C/D who can apply to federal level. (ie multi-state)

5. With corporations several changes that relate to division of duties between Board and staff:

- a. Clarify division of labor between Board and Chair.
- b. don't have "annual" strategic plan;
- c. have report to Congress and President not chair - (like Civil Rights Committee report);
- d. have Board decide on grants (but not contracts) unless they decide to delegate;

103D CONGRESS
1ST SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice and
referred to the Committee on _____

A BILL

To amend the National and Community Service Act of 1990
to establish a Corporation for National Service, enhance
opportunities for national service, and provide national
service educational awards to persons participating in
such service, and for other purposes.

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. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “National Service Trust Act of 1993”.

6 (b) TABLE OF CONTENTS.—The table of contents is
7 as follows:

Sec. 1. Short title; table of contents.

TITLE I—PROGRAMS

2

- Sec. 101. Federal investment in support of national service.
- Sec. 102. National Service Trust and provision of national service educational awards.
- Sec. 103. Amendments to programs for students and out-of-school youth.
- Sec. 104. Quality and innovation activities.
- Sec. 105. Definitions.

TITLE II—ORGANIZATION

- Sec. 201. State Commissions on National Service.

TITLE III—HIGHER EDUCATION

- Sec. 301. Higher education.

TITLE IV—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

- Sec. 401. Authorization of appropriations.

Subtitle B—Domestic Volunteer Service Act of 1973

- Sec. 411. Short title; references.

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

- Sec. 421. Purpose of the VISTA program.
- Sec. 422. Selection and assignment of VISTA volunteers.
- Sec. 423. Terms and periods of service.
- Sec. 424. Support for VISTA volunteers.
- Sec. 425. Participation of younger and older persons.
- Sec. 426. Literacy activities.
- Sec. 427. Applications for assistance.
- Sec. 428. Repeal of authority for student community service programs.
- Sec. 429. University year for VISTA.
- Sec. 430. Authority to establish and operate special volunteer and demonstration programs.
- Sec. 431. Technical and financial assistance.
- Sec. 432. Elimination of separate authority for drug abuse programs.

CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS

- Sec. 441. National Senior Volunteer Corps.
- Sec. 442. The Retired and Senior Volunteer Program.
- Sec. 443. Operation of the Retired and Senior Volunteer Program.
- Sec. 444. Services under the Foster Grandparent Program.
- Sec. 445. Stipends for low-income volunteers.
- Sec. 446. Participation of non-low-income persons under parts B and C.
- Sec. 447. Conditions of grants and contracts.
- Sec. 448. Evaluation of the Senior Companion Program.
- Sec. 449. Agreements with other Federal agencies.
- Sec. 450. Programs of national significance.
- Sec. 451. Adjustments to Federal financial assistance.
- Sec. 452. Arrangements with private, profit-making organizations.
- Sec. 453. Demonstration programs.

CHAPTER 3—ADMINISTRATION

- Sec. 461. Purpose of agency.
- Sec. 462. Authority of the Director.
- Sec. 463. Compensation for volunteers.
- Sec. 464. Repeal of report on annual recruitment plan.
- Sec. 465. Application of Federal law.
- Sec. 466. Evaluation of programs.
- Sec. 467. Nondiscrimination provisions.
- Sec. 468. Elimination of separate requirements for setting regulations.
- Sec. 469. Clarification of role of Inspector General.
- Sec. 470. Copyright protection.
- Sec. 471. Center for research and training.
- Sec. 472. Deposit requirement credit for service as a volunteer.

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER AMENDMENTS

- Sec. 481. Authorization of appropriations for title I.
- Sec. 482. Authorization of appropriations for title II.
- Sec. 483. Authorization of appropriations for title IV.
- Sec. 484. Conforming amendments; compensation for VISTA FECA claimants.
- Sec. 485. Repeal of authority for Youthbuild Program.
- Sec. 486. Effective date.

TITLE V—TECHNICAL AND CONFORMING AMENDMENTS

- Sec. 501. Definition of Director.
- Sec. 502. References to ACTION and the ACTION Agency in the national service laws.
- Sec. 503. References to ACTION and the ACTION Agency in other laws.
- Sec. 504. Definition of Corporation.
- Sec. 505. References to Commission.
- Sec. 506. Effective date.

- 1 **TITLE I—PROGRAMS**
- 2 **SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NA-**
- 3 **TIONAL SERVICE.**
- 4 (a) ASSISTANCE PROGRAM AUTHORIZED.—Subtitle C
- 5 of title I of the National and Community Service Act of
- 6 1990 (42 U.S.C. 12541 et seq.) is amended to read as
- 7 follows:

1 **“Subtitle C—National Service**
2 **Program**

3 **“PART I—INVESTMENT IN NATIONAL SERVICE**

4 **“SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE TO NA-**
5 **TIONAL SERVICE PROGRAMS.**

6 “(a) GRANTS.—The Corporation may make grants to
7 States, subdivisions of States, Indian tribes, public and
8 private nonprofit organizations, and institutions of higher
9 education for the purpose of—

10 “(1) assisting the recipients of the grants to
11 carry out full- or part-time national service pro-
12 grams, including summer programs, and make
13 grants in support of national service programs car-
14 ried out by other entities; and

15 “(2) providing national service educational
16 awards described in subtitle D to the participants
17 who serve in such programs.

18 “(b) AGREEMENTS WITH FEDERAL AGENCIES.—The
19 Corporation may enter into a contract or cooperative
20 agreement with another Federal agency to support a na-
21 tional service program carried out by the agency. The sup-
22 port provided by the Corporation pursuant to the contract
23 or cooperative agreement may include—

1 “(1) the transfer to the Federal agency of
2 funds available to the Corporation under this part;
3 and

4 “(2) the provision of national service edu-
5 cational awards described in subtitle D to the par-
6 ticipants who serve in the supported program.

7 “(c) LIMITATION ON ADMINISTRATIVE COSTS.—The
8 recipient of a grant or transfer of assistance under this
9 section may not use more than 5 percent of the amount
10 of the assistance to cover administrative costs incurred by
11 the recipient with respect to the assistance, including costs
12 to administer any grant program using the assistance in
13 support of other national service programs.

14 **“SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGI-**
15 **BLE FOR PROGRAM ASSISTANCE.**

16 “(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—
17 The recipient of a grant under section 121(a) and each
18 Federal agency receiving assistance under subsection
19 121(b) shall use the assistance, directly or through
20 subgrants to other entities, to carry out full- or part-time
21 national service programs, including summer programs,
22 that address unmet human, educational, environmental, or
23 public safety needs. Subject to subsection (b)(1), these na-
24 tional service programs may include the following types
25 of national service programs:

1 “(1) A ~~community corps~~ program that meets
2 unmet human, educational, environmental, or public
3 safety needs and promotes greater community unity
4 through the use of organized teams of participants
5 of varied social and economic backgrounds, skill lev-
6 els, physical capabilities, ages, ethnic backgrounds,
7 or genders to . _____ ?

8 “(2) A youth corps program (such as a con-
9 servation corps, a program that performs service on
10 Federal ^{, state} or other public lands or waters or on Indian
11 lands, or a youth service corps program) that—

12 “(A) meets unmet needs in a natural re-
13 source or human services setting;

14 “(B) gives participants a mix of work ex-
15 perience, basic and life skills, leadership train-
16 ing, education (which ^{may} include the use of _____ shall
17 service-learning methods and shall include edu-
18 cational programs to enable school dropouts to
19 earn a high school diploma or its equivalent),
20 career guidance and counseling, employment
21 training, and support services; and

22 “(C) includes out-of-school youths as par-
23 ticipants.

24 “(3) A program that provides specialized train-
25 ing to individuals in service-learning and places the

1 individuals after such training in positions, including
2 positions as service-learning coordinators, to facili-
3 tate service-learning in programs eligible for funding
4 under subtitle B.

5 “(4) A service program targeted at specific
6 unmet human, educational, environmental, or public
7 safety needs that—

8 “(A) recruits individuals with special skills
9 or provides specialized preservice training to en-
10 able participants to be placed individually or in
11 teams in positions in which the participants can
12 meet such unmet needs; ^{or}₁

13 “(B) brings participants together for addi-
14 tional training and other activities designed to
15 foster civic responsibility, increase the skills of
16 participants, and improve the quality of the
17 service provided.

18 “(5) An individualized placement program that
19 includes regular group activities, such as leadership
20 training and special service projects.

21 “(6) A campus-based program that is designed
22 to provide substantial service in a community during
23 the school year and during summer or other vaca-
24 tion periods through the use of—

1 “(A) students who are attending an insti-
2 tution of higher education, including students
3 supported by work-study funds;

4 “(B) teams composed of such students; or

5 “(C) teams composed of a combination of
6 such students and community residents or rep-
7 resentatives of the institution.

8 “(7) A preprofessional training program in
9 which students enrolled in an institution of higher
10 education—

11 “(A) receive training in specified fields,
12 which may include classes containing service-
13 learning;

14 “(B) perform service related to such train-
15 ing outside the classroom during the school
16 year and during summer or other vacation peri-
17 ods; and

18 “(C) agree upon graduation to provide
19 service to meet unmet human, educational, en-
20 vironmental, or public safety needs related to
21 such training.

22 “(8) A professional corps program that recruits
23 and places qualified participants in positions—

24 “(A) as teachers, nurses, police officers,
25 early childhood development staff, or other pro-

1 professionals providing educational, human service,
2 environmental, or public safety service in com-
3 munities with an inadequate number of such
4 professionals;

5 “(B) that may include a salary in excess of
6 the maximum living allowance authorized in
7 subsection (a)(3) of section 140, as provided in
8 subsection (b) of such section; and

9 (~~C~~) ~~“(B)”~~ that are sponsored by public or pri-
10 vate nonprofit employers who agree to pay 100
11 percent of the salaries and awards (other than
12 any national service educational award under
13 subtitle D) of the participants.

14 “(9) A program in which economically dis-
15 advantaged individuals who are 16 to 24 years of
16 age, inclusive, are provided with opportunities to
17 perform service that, while enabling such individuals
18 to obtain the education and employment skills nec-
19 essary to achieve economic self-sufficiency, will help
20 their communities meet—

21 “(A) the housing needs of low-income fam-
22 ilies and the homeless; and

23 “(B) the need for community facilities in
24 low-income areas.

1 “(10) A national service entrepreneur program
2 that identifies, recruits, and trains gifted young
3 adults of all backgrounds and assists them in de-
4 signing solutions to community problems.

5 “(11) An intergenerational program that com-
6 bines students, out-of-school youths, and older
7 adults as participants to provide needed community
8 services.

9 “(12) Such other national service programs ad-
10 dressing unmet human, educational, environmental,
11 or public safety needs as the Corporation may des-
12 ignate.

13 “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-
14 GIBILITY.—

15 “(1) ESTABLISHMENT BY CORPORATION.—The
16 Corporation shall establish qualification criteria for
17 different types of national service programs for the
18 purpose of determining whether a particular national
19 service program should be considered to be a na-
20 tional service program eligible to receive assistance
21 or national service educational positions under this
22 subtitle. To obtain advice in establishing the quali-
23 fication criteria, the Corporation may convene panels
24 of individuals who are experts regarding national
25 service or regarding the delivery of human, edu-

1 cational, environmental, and public safety services to
2 communities and persons.

3 “(2) APPLICATION TO SUBGRANTS.—The quali-
4 fication criteria established by the Corporation under
5 this subsection shall also be used by each recipient
6 of funds under section 121 that uses any portion of
7 the assistance to conduct a grant program to sup-
8 port other national service programs.

9 “(c) NATIONAL SERVICE PRIORITIES.—

10 “(1) ESTABLISHMENT BY CORPORATION.—In
11 order to concentrate national efforts on resolving
12 certain unmet human, educational, environmental, or
13 public safety needs, the Corporation may establish,
14 and periodically alter, priorities regarding the types
15 of national service programs to be assisted under
16 section 121 and the purposes for which such assist-
17 ance may be used.

18 “(2) NOTICE TO APPLICANTS.—The Corpora-
19 tion shall provide advance notice to potential appli-
20 cants of any national service priorities to be in effect
21 under this subsection for a fiscal year. The notice
22 shall specifically include—

23 “(A) a description of any alteration made
24 in the priorities since the previous notice; and

1 “(B) a description of the national service
2 programs that are designated by the Corpora-
3 tion under section 133(c)(2) as eligible for pri-
4 ority consideration in the next competitive dis-
5 tribution of Corporation funds under section
6 121.

7 “(3) APPLICATION TO SUBGRANTS.—Any na-
8 tional service priorities established by the Corpora-
9 tion under this subsection shall also be used by each
10 recipient of funds under section 121 that uses any
11 portion of the assistance to conduct a grant program
12 to support other national service programs.

13 **“SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGI-**
14 **BLE FOR APPROVAL FOR NATIONAL SERVICE**
15 **EDUCATIONAL AWARDS.**

16 “The Corporation may approve of any of the follow-
17 ing ~~national service~~ positions as a national service position
18 that includes the national service educational award de-
19 scribed in subtitle D:

} will
corps
certify
positions?

20 “(1) A position for a participant in a national
21 service program described in section 122(a) that re-
22 ceives assistance under section 121.

23 “(2) A position for a participant in a program
24 that—

1 “(A) is carried out by a State, a subdivi-
2 sion of a State, an Indian tribe, a public or pri-
3 vate nonprofit organization, an institution of
4 higher education, or a Federal agency; and

5 “(B) would be eligible to receive assistance
6 under section 121 but has not applied for such
7 assistance.

8 “(3) A position involving service as a VISTA
9 volunteer under title I of the Domestic Volunteer
10 Service Act of 1973 (42 U.S.C. 4951 et seq.).

*What Higher
Education is
being will be
called
"service learning"
coordination"*

11 “(4) A position involving service as a service-
12 learning coordinator in a program that receives as-
13 sistance under subtitle B.

*this could
cause
Higher Ed
to swamp
National
service*

14 “(5) A position for a participant in the Civilian
15 Community Corps under subtitle E.

16 “(6) A position involving service on the staff of
17 a national service program receiving an approved na-
18 tional service position.

19 “(7) A position involving service as an employee
20 in certain positions that are created by a govern-
21 mental entity or a public or private nonprofit organi-
22 zation and meet human, educational, environmental,
23 or public safety needs if the position—

*Could
Michael
Brown
receive an
award?
Billie Ann
Meyers?
a crew leader
would be
OK, but
not staff*

1 “(A) is unlikely to be filled in the next 6
2 months due to a shortage of qualified appli-
3 cants; and

4 “(B) is located in a community designated
5 as a enterprise zone or redevelopment area or
6 otherwise targeted for special economic incen-
7 tives, an area that is environmentally dis-
8 tressed, or an area adversely affected by reduc-
9 tions in defense spending or the closure or re-
10 alignment of a military installation.

11 “(8) Such other national service positions as
12 the Corporation considers to be appropriate.

13 **“SEC. 124. TYPES OF PROGRAM ASSISTANCE.**

14 “(a) PLANNING ASSISTANCE.—The Corporation may
15 provide assistance under section 121 to a qualified appli-
16 cant that submits an application under section 130 for the
17 planning of a national service program. Assistance pro-
18 vided under this subsection may cover a period of not more
19 than 1 year.

20 “(b) OPERATIONAL ASSISTANCE.—The Corporation
21 may provide assistance under section 121 to a qualified
22 applicant that submits an application under section 130
23 for the establishment, operation, or expansion of a na-
24 tional service program. Assistance provided under this
25 subsection may cover a period of not more than 3 years,

1 but may be renewed by the Corporation upon consider-
2 ation of a new application under section 130.

3 “(c) REPLICATION ASSISTANCE.—The Corporation
4 may provide assistance under section 121 to a qualified
5 applicant that submits an application under section 130
6 for the expansion of a proven national service program to
7 another geographical location. Assistance provided under
8 this subsection may cover a period of not more than 3
9 years, but may be renewed by the Corporation upon con-
10 sideration of a new application under section 130.

11 “(d) LIMITATION ON ADMINISTRATIVE COSTS.—Ex-
12 cept in the case of assistance described in subsection (a),
13 any national service program established, operated, ex-
14 panded, or replicated using assistance provided under sec-
15 tion 121 and any national service program supported by
16 a grant made using such assistance may not use more
17 than 5 percent of the amount of such assistance to cover
18 administrative costs.

19 “(e) APPLICATION TO SUBGRANTS.—The require-
20 ments of this section shall apply to any State or other
21 applicant receiving assistance under section 121 that pro-
22 poses to conduct a grant program using the assistance to
23 support other national service programs.

1 **"SEC. 125. TRAINING AND TECHNICAL ASSISTANCE.**

2 “(a) **TRAINING PROGRAMS.**—The Corporation may
3 conduct, directly or by grant or contract, appropriate
4 training programs regarding national service in order to—

5 “(1) improve the ability of national service pro-
6 grams assisted under section 121 to meet human,
7 educational, environmental, or public safety needs in
8 communities where services are needed most and
9 where programs do not currently exist or are cur-
10 rently too limited to meet community needs;

11 “(2) promote leadership development in such
12 programs;

13 “(3) improve the instructional and pro-
14 grammatic quality of such programs to build an
15 ethic of successful and lifelong national and commu-
16 nity service;

17 “(4) develop the management and budgetary
18 skills of program operators; and

19 “(5) improve the training provided to the par-
20 ticipants in such programs.

21 “(b) **TECHNICAL ASSISTANCE.**—The Corporation
22 shall make appropriate technical assistance available to
23 States and other applicants that desire to develop national
24 service programs and to apply for assistance under section
25 121 or under a grant program conducted using assistance
26 provided under such section.

1 **"SEC. 126. OTHER SPECIAL ASSISTANCE.**

2 “(a) SUPPORT FOR STATE COMMISSIONS.—The Cor-
3 poration may make assistance available to assist a State
4 to establish or operate a State Commission on National
5 Service required to be established by the State under sec-
6 tion 178.

7 “(b) DISASTER SERVICE.—The Corporation may un-
8 dertake activities to involve youth corps programs de-
9 scribed in section 122(a)(2) and other programs that re-
10 ceive assistance under a national service law in disaster
11 relief efforts.

12 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
13 PROGRAMS.—The Corporation may make challenge grants
14 to a national service program that receives assistance
15 under section 121 and is designated as a high-quality
16 model program by the Corporation. The challenge grant
17 may provide \$1 of assistance under this subsection for
18 each \$1^(cash) raised by the national service program from pri-
19 vate sources up to such ceiling as the Corporation may
20 establish.

*Unclear
what
these
are for.*

**"PART II—APPLICATION AND APPROVAL
PROCESS**

**"SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-
TIONAL SERVICE POSITIONS BY COMPETI-
TIVE AND OTHER MEANS.**

**"(a) ALLOTMENTS OF ASSISTANCE AND APPROVED
POSITIONS TO STATES AND INDIAN TRIBES.—**

Sounds like an entitlement. Should read that States are eligible to apply for an allotment.

**"(1) 30 PERCENT ALLOTMENT OF ASSIST-
ANCE.—Of the funds appropriated to the Corpora-
tion to provide assistance under section 121 for a
fiscal year, the Corporation shall make a grant
under such section to each of the several States, the
District of Columbia, and the Commonwealth of
Puerto Rico. The amount allotted as a grant to each
such State under this paragraph for a fiscal year
shall be equal to the amount that bears the same
ratio to 30 percent of the funds appropriated to
carry out this part for that fiscal year as the popu-
lation of the State bears to the total population of
the several States, the District of Columbia, and the
Commonwealth of Puerto Rico.**

**"(2) ONE PERCENT ALLOTMENT OF ASSIST-
ANCE.—Of the funds appropriated to the Corpora-
tion to provide assistance under section 121 for a
fiscal year, the Corporation shall reserve 1 percent
of such appropriated funds for grants under such**

1 section to Indian tribes, the Virgin Islands, Guam,
 2 American Samoa, and the Commonwealth of the
 3 Northern Mariana Islands, to be allotted in accord-
 4 ance with their respective needs, as determined by
 5 the Corporation. Palau shall also be eligible for an
 6 allotment under this paragraph until such time as
 7 the Compact of Free Association with Palau is rati-
 8 fied.

9 “(3) CORRESPONDING ALLOTMENT OF AP-
 10 PROVED POSITIONS.—A State or Indian Tribe that
 11 receives an allotment under paragraph (1) or (2) for
 12 a fiscal year shall also receive a number of approved
 13 national service positions in an amount that bears
 14 the same ratio to the total number of approved na-
 15 tional service positions to be available for that fiscal
 16 year (excluding positions reserved for Corporation
 17 programs under subsection (b)) as the amount of as-
 18 sistance provided to the State or Indian Tribe under
 19 paragraph (1) or (2) bears to the total of the funds
 20 appropriated to the Corporation to provide assist-
 21 ance under section 121 for that fiscal year.

22 “(4) EFFECT OF FAILURE TO APPLY.—If a
 23 State fails to apply for an allotment under para-
 24 graph (1), the Corporation may use the amount that
 25 would have been provided under such paragraph,

make
comparable
to BI
April 23, 1993

or fails to give notice to the
Corporation of its intent to
apply

#s do
not equal
slots. How
does the
math
work?

Corps
should
decide.

30% of the
money does
not create
a demand
for 30% of
slots
necessarily.

1 and the approved national service positions cor-
2 responding to the allotment, to make grants to sub-
3 divisions of the State, public and private nonprofit
4 organizations, and institutions of higher education in
5 the State that propose to carry out national service
6 programs in the State.

7 “(b) RESERVATION OF APPROVED POSITIONS FOR
8 CORPORATION POSITIONS.—

9 “(1) NUMBER RESERVED.—Except as provided
10 in paragraph (2), the Corporation shall ensure that
11 each individual selected during a fiscal year for as-
12 signment as a VISTA volunteer under title I of the
13 Domestic Volunteer Service Act of 1973 (42 U.S.C.
14 4951 et seq.) or as a participant in the Civilian
15 Community Corps Demonstration Program under
16 subtitle E shall receive the national service edu-
17 cational award described in subtitle D if the individ-
18 ual satisfies the eligibility requirements for the
19 award. The number of approved national service po-
20 sitions required by this paragraph for a fiscal year
21 shall be deducted from the total number of approved
22 national service positions to be available for distribu-
23 tion under subsection (a) or (c) for that fiscal year.

24 “(2) EXCEPTION.—If the total number of ap-
25 proved national service positions to be available for

1 distribution for a fiscal year does not exceed 200
2 percent of the number of such positions that would
3 be required to satisfy paragraph (1) for that fiscal
4 year, the Corporation shall not reserve the national
5 service educational award for individuals described
6 in such paragraph who are selected during that fis-
7 cal year.

? what happens to them - they don't get awards?

8 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—Of
9 the funds appropriated to the Corporation to provide as-
10 sistance under section 121 for a fiscal year, the Corpora-
11 tion shall use not less than _____percent of such appro-
12 priated funds to make assistance available under section
13 126. **[What about training and technical assist-**
14 **ance under section 125?]**

15 “(d) COMPETITIVE DISTRIBUTION OF REMAINING
16 FUNDS AND APPROVED POSITIONS.—

17 “(1) STATE COMPETITION.—Of the funds ap-
18 propriated to the Corporation to provide assistance
19 under section 121 for a fiscal year, the Corporation
20 shall use not less than 20 percent of such appro-
21 priated funds to make grants to States on a com-
22 petitive basis under section 121. Of the total number
23 of approved national service positions to be available
24 under this section for a fiscal year (excluding posi-
25 tions reserved for Corporation programs under sub-

The Corporation may reserve such funds as it deems appropriate. Don't put percentage in statute.

1 section (b)), the Corporation shall distribute not less
2 than 20 percent of such positions to States on a
3 competitive basis.

4 “(2) FEDERAL AGENCIES AND OTHER APPLI-
5 CANTS.—The Corporation shall distribute on a com-
6 petitive basis to subdivisions of States, Indian tribes,
7 public and private nonprofit organizations, institu-
8 tions of higher education, and Federal agencies—

9 “(A) the remainder of the funds appro-
10 priated to provide assistance under section 121
11 for a fiscal year, after operation of paragraph
12 (1) and subsections (a) and (c); and

13 “(B) the remainder of the approved na-
14 tional service positions to be available under
15 this section for a fiscal year, after operation of
16 paragraph (1) and subsections (a) and (b).

17 “(e) APPLICATION REQUIRED.—The allotment of as-
18 sistance and approved national service positions to a State
19 under subsection (a), and the competitive distribution of
20 assistance and approved national service positions under
21 subsection (c), shall be made by the Corporation only pur-
22 suant to an application submitted by a State or other ap-
23 plicant under section 130 and approved by the Corpora-
24 tion under section 133.

*Need
restrictions*

*which
operate
multistate
have
successful
track
records,
etc.*

1 “(f) DISTRIBUTION OF APPROVED POSITIONS SUB-
2 JECT TO AVAILABLE FUNDS.—The Corporation may not
3 distribute approved national service positions under this
4 section for a fiscal year in excess of the number of such
5 positions for which the Corporation has sufficient available
6 funds in the National Service Trust for that fiscal year
7 to satisfy the maximum possible obligations likely to be
8 incurred by the United States to provide the national serv-
9 ice educational award corresponding to service in these po-
10 sitions.

11 “(g) SPONSORSHIP OF APPROVED NATIONAL SERV-
12 ICE POSITIONS.—

13 “(1) SPONSORSHIP AUTHORIZED.—The Cor-
14 poration may enter into agreements with persons or
15 entities who offer to sponsor national service posi-
16 tions for which the person or entity will be respon-
17 sible for supplying the funds necessary to provide a
18 national service educational award. The distribution
19 of these approved national service positions shall be
20 made pursuant to the agreement, and the creation
21 of these positions shall not be taken into consider-
22 ation in determining the number of approved na-
23 tional service positions to be available for distribu-
24 tion under this section.

1 “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-
2 vided pursuant to an agreement under paragraph
3 (1) shall be deposited in the National Service Trust
4 established in section 145 until such time as the
5 funds are needed.

6 **“SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**
7 **NATIONAL SERVICE POSITIONS.**

8 “(a) TIME, MANNER, AND CONTENT OF APPLICA-
9 TION.—To be eligible to receive assistance under section
10 121 and approved national service positions for partici-
11 pants who serve in the national service programs to be
12 carried out using the assistance, a State, subdivision of
13 a State, Indian tribe, public or private nonprofit organiza-
14 tion, institution of higher education, or Federal agency
15 shall prepare and submit to the Corporation an application
16 at such time, in such manner, and containing such infor-
17 mation as the Corporation may reasonably require.

18 “(b) TYPES OF APPLICATION INFORMATION.—In
19 order to have adequate information upon which to consider
20 an application under section 133, the Corporation may re-
21 quest the following information to be provided in an appli-
22 cation submitted under subsection (a):

23 “(1) A description of the national service pro-
24 grams proposed to be carried out directly by the ap-
25 plicant using assistance provided under section 121.

1 “(2) A description of the process and criteria by
2 which national service programs, other than national
3 service programs carried out by a State agency, were
4 selected by the applicant to receive a grant from as-
5 sistance requested under section 121.

6 “(3) A description of other funding sources to
7 be used, or sought to be used, for the national serv-
8 ice programs and any grant program described in
9 paragraphs (1) and (2), and, if the application is
10 submitted for the purpose of seeking a renewal of
11 assistance, a description of the success of the pro-
12 grams in reducing their reliance on Federal funds.

13 “(4) A description of the extent to which the
14 projects to be conducted using the assistance will ad-
15 dress unmet human, educational, environmental, or
16 public safety needs and produce a direct benefit for
17 the community in which the projects are performed.

18 “(5) A description of the manner in which the
19 national service programs will involve participants—

20 “(A) in projects that build an ethic of civic
21 responsibility and produce a positive change in
22 the lives of participants through training and
23 participation in meaningful service experiences
24 and opportunities for reflection on such experi-
25 ences; and

*competition
before
application.
This is
inconsistent
with p 30,
lines 1-5.*

1 “(B) in the design of the program and pro-
2 vide leadership positions to participants in im-
3 plementing and evaluating the program.

4 “(6) Measurable goals for the national service
5 programs and any grant program, and a strategy to
6 achieve such goals, in terms of—

7 “(A) the impact to be made in meeting
8 unmet human, educational, environmental, or
9 public safety needs; and

10 “(B) the service experience to be provided
11 to participants in the programs.

12 “(7) A description of the manner and extent to
13 which the proposed national service programs and
14 any proposed grant program conform to the national
15 service priorities established by the Corporation
16 under section 122(c).

17 “(8) A description of the past experience of the
18 applicant in operating a comparable program or in
19 conducting a grant program in support of other
20 comparable programs.

21 “(9) A description of the type and number of
22 approved national service positions that the appli-
23 cant requests to be approved as including the na-
24 tional service educational award described in subtitle

25 D.
 ^

 L and how they will be apportioned.

1 “(10) Such other information as the Corpora-
2 tion may reasonably require.

3 “(c) APPLICATION TO RECEIVE ONLY APPROVED NA-
4 TIONAL SERVICE POSITIONS.—In the case of applicant
5 that requests national service educational awards for indi-
6 viduals serving in positions described in section 123, but
7 that is not seeking assistance under section 121 or the
8 positions are not in a national service program described
9 in section 122(a), the Corporation shall establish special
10 application requirements in order to determine—

11 “(1) whether the service positions meet unmet
12 educational, human service, environmental, or public
13 safety needs; and

14 “(2) whether the Corporation should approve
15 the positions as approved national service positions
16 that include the national service educational award
17 described in subtitle D as one of the benefits to be
18 provided for successful service in the position.

19 “(d) SPECIAL RULE FOR STATE APPLICANTS.—

20 “(1) SUBMISSION BY STATE COMMISSION.—The
21 application of a State for a grant under section 121
22 or approved national service positions, whether sub-
23 mitted to obtain the allotment of the State or a com-
24 petitive grant under section 129, shall be submitted
25 by the State Commission.

1 “(2) ASSISTANCE TO NONSTATE ENTITIES.—

2 The application of a State shall also contain a guar-
3 antee that not less than _____ percent of any as-
4 sistance provided under section 121 to the State will
5 be used to make grants in support of national serv-
6 ice programs, other than national service programs
7 carried out by a State agency, that were selected by
8 the State on a competitive basis. The Corporation
9 may permit a State to deviate from the percentage
10 specified by this subsection if the State has not re-
11 ceived a sufficient number of acceptable applications
12 from national service programs to comply with the
13 percentage.

“(e) LIMITATION ON SAME PROJECT IN MULTIPLE APPLICATIONS.—The Corporation may reject an application submitted under this section if a project proposed to be conducted using assistance requested by the applicant is already pending before the Corporation in another application.

20 "SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE RE-
21 QUIREMENTS.

22 “(a) IMPACT ON PARTICIPANTS.—An application
23 submitted under section 130 shall include a guarantee by
24 the applicant that any national service program carried
25 out by the applicant using assistance provided under sec-

tion 121 and any national service program supported by
a grant made by the applicant using such assistance will—

“(1) provide participants in the national service
program with the training, skills, and knowledge
necessary for the projects that participants are
called upon to perform; and

“(2) provide support services to participants,
such as the provision of appropriate information and
support—

“(A) to those participants who are school
dropouts in order to assist such participants in
earning the equivalent of a high school diploma;
and

“(B) to those participants who are com-
pleting a term of service and making the transi-
tion to other educational and career opportuni-
ties.

“(b) NONDUPLICATION AND NONDISPLACEMENT RE-
QUIREMENTS.—An application submitted under section
130 shall also include a guarantee by the applicant that
the applicant will comply with the nonduplication and
nondisplacement requirements specified in subsections (a)
and (b) of section 177 in carrying out the national service
programs and any grant program in support of national
service programs.

1 “(c) CONSULTATION.—An application submitted
2 under section 130 shall also include a guarantee by the
3 applicant that any national service program carried out
4 by the applicant using assistance provided under section
5 121 and any national service program supported by a
6 grant made by the applicant using such assistance will—

7 “(1) provide in the design, recruitment, and op-
8 eration of the program for broad-based input from
9 the community served and community-based agen-
10 cies with a demonstrated record of experience in pro-
11 viding services; and

12 “(2) prior to the placement of participants, con-
13 sult with any local labor organization representing
14 employees in the area who are engaged in the same
15 or similar work as that proposed to be carried out
16 by such program to ensure compliance with the
17 nondisplacement requirements specified in section
18 177(a).

19 “(d) EVALUATION AND PERFORMANCE GOALS.—

20 “(1) IN GENERAL.—An application submitted
21 under section 130 shall also include a guarantee by
22 the applicant that the applicant will—

23 “(A) arrange for an independent evalua-
24 tion of any national service program carried out

1 using assistance provided to the applicant under
2 section 121;

3 “(B) develop measurable performance
4 goals and evaluation methods (such as the use
5 of surveys of participants and persons served),
6 which are to be used as part of such evaluation
7 to determine the impact of the program—

8 “(i) on communities and persons
9 served by the projects performed by the
10 program;

11 “(ii) on participants who take part in
12 the projects; and

13 “(ii) in such other areas as the Cor-
14 poration may require; and

15 “(C) cooperate with any evaluation activi-
16 ties undertaken by the Corporation.

17 “(2) ALTERNATIVE EVALUATION REQUIRE-
18 MENTS.—The Corporation may waive or establish al-
19 ternative evaluation requirements for national serv-
20 ice programs based upon the amount of assistance
21 received under section 121 or received by a grant
22 made by a recipient of assistance under such section.
23 The determination of whether a national service pro-
24 gram is covered by this paragraph shall be made in
25 such manner as the Corporation may prescribe.

1 “(e) LIVING ALLOWANCES AND OTHER INSERVICE
2 BENEFITS.—Except as provided in section 140(b), an ap-
3 plication submitted under section 124 shall also include
4 a guarantee by the applicant that the applicant will—

5 “(1) provide a living allowance and other bene-
6 fits specified in section 140 to participants in any
7 national service program carried out by the appli-
8 cant using assistance provided under section 121;
9 and

10 “(2) require that each national service program
11 that receives a grant from the applicant using such
12 assistance will also provide a living allowance and
13 other benefits specified in section 140 to participants
14 in the program.

15 “(f) SELECTION OF PARTICIPANTS FROM NATION-
16 ALLY RECRUITED PARTICIPANTS.—The Corporation may
17 also require a guarantee by the applicant that any national
18 service program carried out by the applicant using assist-
19 ance provided under section 121 and any national service
20 program supported by a grant made by the applicant
21 using such assistance will select a portion of the partici-
22 pants for the program from among prospective partici-
23 pants recruited by the Corporation under section 138(c).
24 The Corporation may specify a minimum percentage of
25 participants to be selected from the national leadership

1 pool established under section 138(d) and may vary the
2 percentage for different types of national service pro-
3 grams.

4 **"SEC. 132. INELIGIBLE SERVICE CATEGORIES.**

5 "An application submitted to the Corporation under
6 section 130 shall include a guarantee by the applicant that
7 any national service program carried out using assistance
8 provided under section 121 and any approved national
9 service position provided to an applicant will not be used
10 to perform service that provides a direct benefit to any—

11 "(1) business organized for profit;

12 "(2) labor union;

13 "(3) partisan political organization; or

14 "(4) organization engaged in religious activities,
15 unless such service does not involve the use of assist-
16 ance provided under section 121 or the occupancy of
17 an approved national service position by program
18 participants and program staff to give religious in-
19 struction, conduct worship services, or engage in any
20 form of proselytization.

21 **"SEC. 133. CONSIDERATION OF APPLICATIONS.**

22 "(a) CONSIDERATION OF CERTAIN CRITERIA.—The
23 Corporation shall apply the criteria described in sub-
24 sections (b) and (c) in determining whether—

1 “(1) to approve an application submitted under
2 section 130 and provide assistance under section
3 121 to the applicant; and

4 “(2) to designate positions described in the ap-
5 plication as national service positions including the
6 national service educational award described in sub-
7 title D and provide such approved national service
8 positions to the applicant.

9 “(b) ASSISTANCE CRITERIA.—The criteria required
10 to be applied by the Corporation in evaluating applications
11 submitted under section 130 are as follows:

12 “(1) The quality of the national service pro-
13 gram proposed to be carried out directly by the ap-
14 plicant or supported by a grant from the applicant.

15 “(2) The innovative aspects of the national
16 service program, and the feasibility of replicating the
17 program.

18 “(3) The sustainability of the national service
19 program, based on evidence such as the existence—

20 “(A) of strong and broad-based community
21 support for the program; and

22 “(B) of multiple funding sources or private
23 funding for the program.

24 “(4) The quality of the leadership of the na-
25 tional service program, the past performance of the

1 program, and the extent to which the program
2 builds on existing programs.

3 “(5) The extent to which participants and resi-
4 dents of the communities in which projects are to be
5 conducted are involved in the design, leadership, and
6 operation of the national service program.

7 “(6) The extent to which projects would be con-
8 ducted in areas where they are needed most, such
9 as—

10 “(A) communities designated as enterprise
11 zones or redevelopment areas or otherwise tar-
12 geted for special economic incentives;

13 “(B) areas that are environmentally dis-
14 tressed; or

15 “(C) areas adversely affected by reductions
16 in defense spending or the closure or realign-
17 ment of military installations.

18 “(7) Such other criteria that the Corporation
19 considers to be appropriate.

20 “(c) OTHER CONSIDERATIONS.—

21 “(1) GEOGRAPHIC DIVERSITY.—The Corpora-
22 tion shall ensure that recipients of assistance pro-
23 vided under section 121 on a competitive basis are
24 geographically diverse and that projects are con-
25 ducted in both urban and rural areas.

1 “(2) PRIORITIES.—The Corporation may des-
2 ignate, under such criteria as may be established by
3 the Corporation, certain national service programs
4 or types of national service programs described in
5 section 122(a) for priority consideration in the com-
6 petitive distribution of funds under section 121. In
7 designating national service programs to receive pri-
8 ority, the Corporation may include—

9 “(A) national service programs carried out
10 by another Federal agency;

11 “(B) national service programs that oper-
12 ate in more than 1 State and conform to the
13 national service priorities in effect under section
14 122(c) for that fiscal year;

15 “(C) innovative national service programs;

16 “(D) private national service programs
17 that are well established in 1 or more States at
18 the time of the application and are proposed to
19 be expanded to additional States using assist-
20 ance provided under section 121; and

21 “(E) grant programs in support of other
22 national service programs if the grant programs
23 are to be conducted by nonprofit organizations
24 with an established and extensive expertise in

1 the provision of services to meet human, edu-
2 cational, environmental, or public safety needs.

3 “(d) REJECTION OF STATE APPLICATIONS.—

4 “(1) NOTIFICATION OF STATE APPLICANTS.—If
5 the Corporation rejects an application submitted by
6 a State Commission under section 130, the Corpora-
7 tion shall promptly notify the State Commission of
8 the reasons for the rejection of the application.

9 “(2) RESUBMISSION AND RECONSIDERATION.—

10 The Corporation shall provide a State Commission
11 notified under paragraph (1) with a reasonable op-
12 portunity to revise and resubmit the application. At
13 the request of the State Commission, the Corpora-
14 tion shall provide technical assistance to the State
15 Commission as part of the resubmission process.
16 The Corporation shall promptly reconsider an appli-
17 cation resubmitted under this paragraph.

18 “(3) REALLOTMENT.—The amount of any
19 State’s allotment under section 129(a) for a fiscal
20 year that the Corporation determines will not be
21 provided for that fiscal year shall be available for
22 distribution by the Corporation as provided in para-
23 graph (4) of such section.

24 “(d) APPLICATION TO SUBGRANTS.—A State or
25 other applicant that conducts a grant program with assist-

*How do you
do this
when the
competitive
process
will add
six months?*

1 ance provided under section 121 shall use the criteria de-
2 scribed in subsections (b) and (c) whenever considering
3 applications submitted by national service programs to re-
4 ceive a portion of such assistance or an approved national
5 service position.

6 **"SEC. 134. MATCHING FUNDS REQUIREMENTS BY RECIPI-**
7 **ENTS.**

8 “(a) REQUIREMENTS.—A State or other applicant re-
9 ceiving assistance under section 121 which uses such as-
10 sistance to carry out directly a national service program
11 shall be required to satisfy the matching funds require-
12 ments established under section 116. Any national service
13 program that receives funds from a grant program oper-
14 ated by a State or other applicant using assistance ob-
15 tained under section 121 shall also satisfy such matching
16 funds requirements with respect to the funds provided by
17 the grant. The waiver authority provided under section
18 116(b) shall also apply with respect assistance provided
19 under this subtitle.

20 “(b) EXCEPTION.—A Federal agency receiving assist-
21 ance under section 121(b) shall not be required to satisfy
22 the matching funds requirements established under sec-
23 tion 116. However, the supplementation requirements
24 specified in section 173 shall apply with respect to the

*inconsistent
with
p. 25.*

1 Federal national service programs supported with such as-
2 sistance.

3 **“PART III—NATIONAL SERVICE PARTICIPANTS**

4 **“SEC. 137. DESCRIPTION OF PARTICIPANTS.**

5 “(a) IN GENERAL.—An individual shall be considered
6 to be a participant in a national service program carried
7 out using assistance provided under section 121 if the
8 individual—

9 “(1) meets such eligibility requirements as may
10 be established by the program;

11 “(2) is selected by the program to serve in a
12 leadership position with the program or to serve in
13 projects conducted by the program;

14 “(3) will serve in the program for a term of
15 service specified in section 139 to be performed be-
16 fore, during, or after attendance at an institution of
17 higher education;

18 “(4) is 17 years of age or older at the time the
19 individual begins the term of service;

20 “(5) has received a high school diploma or its
21 equivalent or agrees to obtain a high school diploma
22 or its equivalent during the term of service and the
23 individual did not drop out of an elementary or sec-
24 ondary school to enroll in the program; and

1 “(6) is a citizen of the United States or lawfully
2 admitted for permanent residence.

3 “(b) SPECIAL RULES FOR CERTAIN PROGRAMS.—An
4 individual shall be considered to be a participant in a
5 youth corps program described in section 122(a)(2) or a
6 program described in section 122(a)(9) that is carried out
7 with assistance provided under section 121 if the
8 individual—

9 “(1) satisfies the requirements specified in sub-
10 section (a), except paragraph (4) of such subsection;
11 and

12 “(2) is an out-of-school youth at the time the
13 individual begins the term of service.

14 **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-**
15 **PANTS.**

16 “(a) SELECTION PROCESS.—Subject to subsection
17 (b), the actual recruitment and selection of an individual
18 to serve in a national service program receiving assistance
19 under section 121 or to fill an approved national service
20 position shall be conducted by the State, subdivision of
21 a State, Indian tribe, public or private nonprofit organiza-
22 tion, institution of higher education, Federal agency, or
23 other entity to which the assistance or approved national
24 service position is provided.

1 “(b) NONDISCRIMINATION IN SELECTION OF PAR-
2 TICIPANTS.—The recruitment and selection of individuals
3 to serve in national service programs receiving assistance
4 under section 121 or to fill approved national service posi-
5 tions shall be consistent with the nondiscrimination re-
6 quirements of section 175 and shall be conducted without
7 regard to the political affiliation of the individuals.

8 “(c) RECRUITMENT AND PLACEMENT.—The Cor-
9 poration and each State Commission shall establish a sys-
10 tem to recruit individuals who desire to perform national
11 service and to assist the placement of these individuals in
12 approved national service positions, including positions
13 available under title I of the Domestic Volunteer Service
14 Act of 1973 (42 U.S.C. 4951).

15 “(d) NATIONAL LEADERSHIP POOL.—

16 “(1) SELECTION AND TRAINING.—From among
17 individuals recruited under subsection (c), the Cor-
18 poration may select individuals with significant lead-
19 ership potential, as determined by the Corporation,
20 to receive special training to enhance their leader-
21 ship ability. The training shall be provided by Cor-
22 poration directly or through a grant or contract.

23 “(2) ASSIGNMENT.—At the request of a pro-
24 gram that receives assistance under the national
25 service laws, the Corporation may assign an individ-

1 ual selected under paragraph (1) to work with the
2 program in a leadership position. An individual as-
3 signed to a program shall be considered to be a par-
4 ticipant of the program. The Corporation or the pro-
5 gram may provide a living allowance to the individ-
6 ual in excess of the maximum level established in
7 section 140(a)(3).

*carrying out
assignments
not otherwise
performed by
regular
participants.
Elitist.*

8 **"SEC. 139. REQUIRED TERMS OF SERVICE OF NATIONAL**
9 **SERVICE PARTICIPANTS.**

10 "(a) IN GENERAL.—As a condition of receiving a na-
11 tional service education award under subtitle D, a partici-
12 pant in an approved national service position shall be re-
13 quired to perform full- or part-time national service for
14 a term of service specified in subsection (b).

15 "(b) TERM OF SERVICE.—

16 "(1) FULL-TIME SERVICE.—An individual per-
17 forming full-time national service in an approved na-
18 tional service position shall agree to participate in
19 projects for not less than 1,500 hours during a pe-
20 riod of not less than 9 months and not more than
21 1 year.

22 "(2) PART-TIME SERVICE.—Except as provided
23 in paragraph (3), an individual performing part-time
24 national service in an approved national service posi-
25 tion shall agree to participate in projects for not less

1 than 1,500 hours during a period of not less than
2 1 year and not more than 2 years.

3 “(3) REDUCTION IN HOURS OF PART-TIME
4 SERVICE.—The Corporation may reduce the number
5 of hours required to be served to successfully com-
6 plete part-time national service, except that any re-
7 duction in the required term of service shall include
8 a corresponding reduction in the amount of any na-
9 tional service educational award that may be avail-
10 able under subtitle D with regard to that service.

*Need a
floor of
10 hours/wk
not below
750 hours
total.*

11 “(c) RELEASE FROM COMPLETING TERM OF SERV-
12 ICE.—

13 “(1) RELEASE AUTHORIZED.—A State or other
14 recipient of assistance under section 121 or an ap-
15 proved national service position may release a partic-
16 ipant from completing a term of service in the posi-
17 tion for compelling personal circumstances as dem-
18 onstrated by the participant.

19 “(2) EFFECT OF RELEASE.—If the released
20 participant was serving in an approved national
21 service position, the participant may receive a por-
22 tion of the national service educational award cor-
23 responding to that service in the manner provided in
24 section 147(c).

1 "SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE
2 PARTICIPANTS.

3 "(a) PROVISION OF LIVING ALLOWANCE.—

4 "(1) LIVING ALLOWANCE PERMITTED.—Subject
5 to paragraph (3), a national service program carried
6 out using assistance provided under section 121 ~~may~~ ^{must}
7 provide to each participant in the program a living
8 allowance in such an amount as may be established
9 by the program.

10 "(2) LIMITATION ON FEDERAL SHARE.—The
11 amount of the annual living allowance provided
12 under paragraph (1) that may be paid using assist-
13 ance provided under section 121 and using any other
14 Federal funds shall not exceed the lesser of—

15 "(A) 85 percent of the total average an-
16 nual subsistence allowance and stipend provided
17 to VISTA volunteers under section 105 of the
18 Domestic Volunteer Service Act of 1973 (42
19 U.S.C. 4955); and

20 "(B) 85 percent of the annual living allow-
21 ance established by the national service pro-
22 gram involved.

23 "(3) MAXIMUM LIVING ALLOWANCE.—Except
24 as provided in subsection (b), the total amount of a
25 living allowance, determined on an hourly basis, that
26 may be provided to a participant in a national serv-

1 ice program shall not exceed 200 percent of the
2 hourly equivalent of the total average annual sub-
3 sistence allowance and stipend provided to VISTA
4 volunteers under section 105 of the Domestic Volun-
5 teer Service Act of 1973 (42 U.S.C. 4955) for each
6 hour of national service performed by the partici-
7 pant.

8 “(b) EXCEPTION FROM MAXIMUM LIVING ALLOW-
9 ANCE FOR CERTAIN ASSISTANCE.—A State or other appli-
10 cant for assistance under section 121, such as a profes-
11 sional corps program described in section 123(a)(8), that
12 desires to provide a living allowance in excess of the maxi-
13 mum allowance authorized in subsection (a)(3) may still
14 apply for such assistance, except that—

15 “(1) any assistance provided to the applicant
16 under section 121 may not be used to pay for any
17 portion of the allowance;

18 “(2) the applicant shall apply for such assist-
19 ance only by submitting an application to the Cor-
20 poration for assistance on a competitive basis; and

21 “(3) the national service program must be oper-
22 ated directly by the applicant and must meet urgent,
23 unmet human, educational, environmental, or public
24 safety needs, as determined by the Corporation.

1 “(c) HEALTH INSURANCE.—Any assistance provided
2 to a national service program under section 121, whether
3 the assistance is provided directly by the Corporation
4 under such section or by a grant from a recipient of assist-
5 ance under such section, shall be in an amount that is
6 sufficient to pay 85 percent of the cost of a basic health
7 care policy for each full-time participant in the program
8 who does not otherwise have access to health insurance.
9 The Corporation shall establish the contents of the basic
10 health care policy required to be provided under this sub-
11 section.

12 “(d) CHILD CARE.—A State or other recipient of as-
13 sistance under section 121 ~~shall~~ *may*

14 “(1) make child care available for children of
15 each full-time participant in a national service pro-
16 gram; or

17 “(2) provide a child care allowance to each full-
18 time participant in a national service program who
19 has children.

20 **“SEC. 141. NATIONAL SERVICE EDUCATIONAL AWARDS.**

21 “A participant in a national service program carried
22 out using assistance provided to an applicant under sec-
23 tion 121 shall be eligible for the national service edu-
24 cational award described in subtitle D if the participant—

1 “(1) serves in an approved national service po-
2 sition; and

3 “(2) satisfies the eligibility requirements speci-
4 fied in section 146 with respect to service in that ap-
5 proved national service position.”.

6 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
7 tional and Community Service Act of 1990 (Public Law
8 101-610; 104 Stat. 3127) is amended by striking the
9 items relating to subtitle C of title I of such Act and in-
10 serting the following new items:

“Subtitle C—National Service Program

“PART I—INVESTMENT IN NATIONAL SERVICE

- “Sec. 121. Authority to provide assistance to national service programs.
- “Sec. 122. Types of national service programs eligible for program assistance.
- “Sec. 123. Types of national service positions eligible for approval for national service educational awards.
- “Sec. 124. Types of program assistance.
- “Sec. 125. Training and technical assistance.
- “Sec. 126. Other special assistance.

“PART II—APPLICATION AND APPROVAL PROCESS

- “Sec. 129. Provision of assistance and approved national service positions by competitive and other means.
- “Sec. 130. Application for assistance and approved national service positions.
- “Sec. 131. National service program assistance requirements.
- “Sec. 132. Ineligible service categories.
- “Sec. 133. Consideration of applications.
- “Sec. 134. Matching funds requirements by recipients.

“PART III—NATIONAL SERVICE PARTICIPANTS

- “Sec. 137. Description of participants.
- “Sec. 138. Selection of national service participants.
- “Sec. 139. Required terms of service of national service participants.
- “Sec. 140. Living allowances for national service participants.
- “Sec. 141. National service educational awards.”.

1 SEC. 102. NATIONAL SERVICE TRUST AND PROVISION OF
2 NATIONAL SERVICE EDUCATIONAL AWARDS.

3 (a) ESTABLISHMENT OF TRUST; PROVISION OF
4 AWARDS.—Subtitle D of title I of the National and Com-
5 munity Service Act of 1990 (42 U.S.C. 12571 et seq.) is
6 amended to read as follows:

7 **“Subtitle D—National Service**
8 **Trust and Provision of National**
9 **Service Educational Awards**

10 **“SEC. 145. ESTABLISHMENT OF THE NATIONAL SERVICE**
11 **TRUST.**

12 “(a) ESTABLISHMENT.—There is established in the
13 Treasury of the United States an account to be known
14 as the National Service Trust. The Trust shall consist
15 of—

16 “(1) such amounts as the Corporation may des-
17 ignate to be available for the payment of national
18 service educational awards from the amounts appro-
19 priated to the Corporation and made available to
20 carry out this subtitle pursuant to section 501(a)(1);

21 “(2) any amounts received by the Corporation
22 as gifts, bequests, devise, or otherwise pursuant to
23 section 196(a)(2);

24 “[(3) the interest on, and proceeds from the
25 sale or redemption of, any obligations held by the
26 Trust];

1 “[(4) other-to be supplied].

2 “(b) INVESTMENT OF TRUST.—It shall be the duty
3 of the Secretary of the Treasury to invest in full the
4 amounts appropriated to the Trust. [Except as otherwise
5 expressly provided in instruments concerning a gift, be-
6 quest, devise, or other donation and agreed to by the Cor-
7 poration,] such investments may be made only in interest-
8 bearing obligations of the United States or in obligations
9 guaranteed as to both principal and interest by the United
10 States. For such purpose, such obligations may be ac-
11 quired (1) on original issue at the issue price, or (2) by
12 purchase of outstanding obligations at the market place.
13 Any obligation acquired by the Trust may be sold by the
14 Secretary at the market price.

15 “(c) EXPENDITURES FROM TRUST.—Amounts in the
16 Trust shall be available for payments of national service
17 educational awards in accordance with section 148.

18 “(d) REPORTS TO CONGRESS ON RECEIPTS AND EX-
19 PENDITURES.—The Corporation shall submit an annual
20 report to the Congress on the financial status of the Trust.
21 Such report shall—

22 “(1) specify (A) the amount deposited to the
23 Trust from the most recent appropriation to the
24 Corporation, (B) the amount received by the Cor-
25 poration as gifts or bequest during the period cov-

1 ered by the report, and (C) any amounts obtained by
2 the Trust pursuant to subsection[s] (a)(3) [and
3 (a)(4)];

4 “(2) identify the number of individuals who are
5 currently performing service to qualify, or have
6 qualified, for national service educational awards;

7 “(3) identify the number of individuals whose
8 ability to claim national service educational awards
9 has, during the period covered by the report (A)
10 been reduced pursuant to section 147(b), or (B)
11 lapsed pursuant to section 146(d); and

12 “(4) estimate the number of additional ap-
13 proved national service positions which the Corpora-
14 tion will be able to make available under subtitle C
15 on the basis of any accumulated surplus in the
16 Trust above the amount required to provide national
17 service educational awards to individuals identified
18 under paragraph (2).

19 **“SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL**
20 **SERVICE EDUCATIONAL AWARD FROM THE**
21 **TRUST.**

22 “(a) ELIGIBLE INDIVIDUALS.—An individual shall
23 receive a national service educational award from the Na-
24 tional Service Trust if the individual—

1 “(1) successfully completes the required term of
2 service described in subsection (b) in an approved
3 national service position;

4 “(2) was 17 years of age or older at the time
5 the individual began serving in the approved na-
6 tional service position or was an out-of-school youth
7 serving in an approved national service position with
8 a youth corps program described in section
9 122(a)(2) or a program described in section
10 122(a)(9);

11 “(3) has a high school diploma, or the equiva-
12 lent of such diploma, at the time the individual com-
13 pletes the term of service; and

14 “(4) is a citizen of the United States or lawfully
15 admitted for permanent residence.

16 “(b) TERM OF SERVICE.—The term of service for an
17 approved national service position shall not be less than
18 the full- or part-time term of service specified in section
19 139(b).

20 “(c) LIMITATION ON NUMBER OF TERMS OF SERV-
21 ICE FOR AWARDS.—Although an individual may serve
22 more than 2 terms of service described in subsection (b)
23 in an approved national service position, the individual
24 shall receive a national service educational award from the

1 National Service Trust only on the basis of the first and
2 second of such terms of service.

3 “(d) TIME FOR USE OF EDUCATIONAL AWARD.—

4 “(1) FIVE-YEAR REQUIREMENT.—An individual
5 eligible to receive a national service educational
6 award under this section may not use such award
7 after the end of the 5-year period beginning on the
8 date the individual completes the term of service in
9 an approved national service position that is the
10 basis of the award.

11 “(2) EXCEPTION.—The Corporation may ex-
12 tend the period within which an individual may use
13 a national service educational award if the Corpora-
14 tion determines that the individual—

15 “(A) was unavoidably prevented from
16 using the national service educational award
17 during the original 5-year period; or

18 “(B) performed another term of service in
19 an approved national service position during
20 that period.

21 **“SEC. 147. DETERMINATION OF THE AMOUNT OF THE NA-**
22 **TIONAL SERVICE EDUCATIONAL AWARD.**

23 “(a) AMOUNT GENERALLY.—Except as provided in
24 subsection (b), an individual described in section 146(a)
25 who successfully completes a required term of service in

1 an approved national service position shall receive a na-
2 tional service educational award having a value equal to
3 \$6,500 for each of not more than 2 of such terms of serv-
4 ice.

5 “(b) AWARD FOR PARTIAL COMPLETION OF SERV-
6 ICE.—If an individual serving in an approved national
7 service position is released from completing the term of
8 service agreed to by the individual, the Corporation may
9 provide the individual with that portion of the national
10 service educational award approved for the individual that
11 corresponds to the quantity of the term of service actually
12 completed by the individual.

13 “(c) AWARD EXCLUSION FROM GROSS INCOME.—
14 For purposes of section 61 of the Internal Revenue Code
15 of 1986 (26 U.S.C. 61), in the case of an individual, gross
16 income shall not include any amount received as a national
17 service educational award from the National Service
18 Trust.

19 “(d) AWARD EXCLUSION FROM MEANS-TESTED PRO-
20 GRAMS.—Any amount received by an individual as a na-
21 tional service educational award shall not be included as
22 income for purposes of determining eligibility for means-
23 tested Federal programs. [Define means-tested Federal
24 programs. Move to conforming amendments?]

1 "SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDU-
2 CATIONAL AWARDS.

3 "(a) IN GENERAL.—Amounts in the Trust shall be
4 available—

5 "(1) to repay student loans in accordance with
6 subsection (b);

7 "(2) to pay all or part of the cost of attendance
8 at an institution of higher education in accordance
9 with subsection (c); and

10 "(3) to pay expenses incurred in participating
11 in an apprenticeship program in accordance with
12 subsection (d).

*State
approved*

13 "(b) USE OF EDUCATIONAL AWARD TO REPAY OUT-
14 STANDING STUDENT LOANS.—

15 "(1) APPLICATION BY ELIGIBLE INDIVID-
16 UALS.—An eligible individual under section 146 who
17 desires to apply his or her national service edu-
18 cational award to the repayment of qualified student
19 loans shall submit, on a form prescribed by the Cor-
20 poration, an application to the Corporation that—

21 "(A) identifies, or permits the Corporation
22 to identify readily, the holder or holders of such
23 loans;

24 "(B) indicates, or permits the Corporation
25 to determine readily, the amounts of principal
26 and interest outstanding on the loans; and

1 “(C) contains or is accompanied by such
2 other information as the Corporation may re-
3 quire.

4 “(2) DISBURSEMENT OF REPAYMENTS.—Upon
5 receipt of an application from an eligible individual
6 of an application that complies with paragraph (1),
7 the Corporation shall, as promptly as practicable
8 consistent with paragraph (5), disburse the amount
9 of the national service educational award to which
10 the eligible individual is entitled. Such disbursement
11 shall be made by check or other means that is pay-
12 able to the holder of the loan and requires the en-
13 dorsement or other certification by the eligible indi-
14 vidual.

15 “(3) APPLICATION OF DISBURSED AMOUNTS.—
16 If the amount disbursed under paragraph (2) is less
17 than the principal and accrued interest on any quali-
18 fied student loan, such amount shall first be applied
19 to the repayment of principal.

20 “(4) REPORTS BY HOLDERS.—Any holder re-
21 ceiving a loan payment pursuant to this subsection
22 shall submit to the Corporation such information as
23 the Corporation may require to verify that such pay-
24 ment was applied in accordance with this subsection

1 and any regulations prescribed to carry out this sub-
2 section.

3 “(5) AUTHORITY TO AGGREGATE PAYMENTS.—
4 The Corporation may, by regulation, provide for the
5 aggregation of payments to holders under this sub-
6 section.

7 “(6) DEFINITION OF QUALIFIED STUDENT
8 LOANS.—The term ‘qualified student loans’ means—

9 “(A) any loan made, insured, or guaran-
10 teed pursuant to title IV of the Higher Edu-
11 cation Act of 1965 (20 U.S.C. 1070 et seq.),
12 other than a loan to a parent of a student pur-
13 suant to section 428B of such Act (20 U.S.C.
14 1078-2);

15 “(B) any loan made pursuant to title VII
16 of the Public Health Service Act (42 U.S.C.
17 292a et seq.);

18 “(C) [other - to be supplied]

19 “(7) DEFINITION OF HOLDER.—The term
20 ‘holder’ with respect to any eligible loan means the
21 original lender or, if the loan is subsequently sold,
22 transferred, or assigned to some other person, and
23 such other person acquires a legally enforceable
24 right to receive payments from the borrower, such
25 other person.

1 “(8) [other - to be supplied]

2 “(c) USE OF EDUCATIONAL AWARDS TO PAY CUR-
3 RENT EDUCATIONAL EXPENSES.—

4 “(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—

5 An eligible individual under section 146 who desires
6 to apply his or her national service educational
7 award to the payment of current educational ex-
8 penses shall, on a form prescribed by the Corpora-
9 tion, submit an application to the institution of high-
10 er education in which the student will be enrolled
11 that contains such information as the Corporation
12 may require to verify the individual's eligibility.

13 “(2) SUBMISSION OF REQUESTS FOR PAYMENT
14 BY INSTITUTIONS.—An institution of higher edu-
15 cation that receives 1 or more applications that com-
16 ply with paragraph (1) shall submit to the Corpora-
17 tion a statement, in a form prescribed by the Cor-
18 poration, that—

19 “(A) identifies the eligible individuals filing
20 applications under paragraph (1) for a dis-
21 bursement of the individual's national service
22 educational award under this subsection;

23 “(B) specifies the amounts for which such
24 eligible individuals are, consistent with para-

1 graph (6), qualified for disbursement under this
2 subsection;

3 “(C) certifies that (i) the institution of
4 higher education has in effect a program par-
5 ticipation agreement under section 487 of the
6 Higher Education Act of 1965 (20 U.S.C.
7 1094), and (ii) the institution’s eligibility to
8 participate in programs under title IV of such
9 Act (20 U.S.C. 1070 et seq.) has not been lim-
10 ited, suspended, or terminated; and

11 “(D) contains such provisions concerning
12 **[financial compliance]** as the Corporation may
13 require.

14 “(3) DISBURSEMENT OF PAYMENTS.—Upon re-
15 ceipt of a statement from an institution of higher
16 education that complies with paragraph (2), the Cor-
17 poration shall, subject to paragraph (4), disburse the
18 total amount of the national service educational
19 awards for which eligible individuals who have sub-
20 mitted applications to that institution under para-
21 graph (1) are qualified. Such disbursement shall be
22 made by check or other means that is payable to the
23 institution and requires the endorsement or other
24 certification by the eligible individual.

1 “(4) MULTIPLE DISBURSEMENTS REQUIRED.—

2 The total amount required to be disbursed to an in-
3 stitution of higher education under paragraph (3)
4 for any period of enrollment shall be disbursed by
5 the Corporation in 2 or more installments, none of
6 which exceeds $\frac{1}{2}$ of such total amount. The interval
7 between the first and second such installment shall
8 not be less than $\frac{1}{2}$ of such period of enrollment, ex-
9 cept as necessary to permit the second installment to
10 be paid at the beginning of the second semester,
11 quarter, or similar division of such period of enroll-
12 ment.

13 “(5) REFUND RULES.—The Corporation shall,
14 by regulation, provide for the refund to the Corpora-
15 tion (and the crediting to the national service edu-
16 cational award of an eligible individual) of amounts
17 disbursed to institutions for the benefit of eligible in-
18 dividuals who withdraw or otherwise fail to complete
19 the period of enrollment for which the assistance
20 was provided. Such regulations shall be consistent
21 with the fair and equitable refund policies required
22 of institutions pursuant to section 484B of the
23 Higher Education Act of 1965 (20 U.S.C. 1091b).

24 “(6) MAXIMUM AWARD.—The portion of an eli-
25 gible individual's total available national service edu-

1 cational award that may be disbursed under this
2 subsection for any period of enrollment shall not ex-
3 ceed the difference between—

4 “(A) the eligible individual’s cost of attend-
5 ance for such period of enrollment, determined
6 in accordance with section 472 of the Higher
7 Education Act of 1965 (20 U.S.C. 1087*ll*); and

8 “(B) the sum of (i) the student’s estimated
9 financial assistance for such period pursuant to
10 part A of title IV of such Act (20 U.S.C. 1070
11 et seq.), and (ii) the student’s veterans’ edu-
12 cation benefits, determined in accordance with
13 section 480(c) of such Act (20 U.S.C.
14 1087*vv*(c)).

15 “(7) **【Other to be supplied】**.—

16 “(d) **USE OF EDUCATIONAL AWARD TO PARTICIPATE**
17 **IN APPRENTICESHIP PROGRAMS.**—The Corporation shall
18 by regulation provide for the payment of national service
19 educational awards to permit eligible individuals to partici-
20 pate in recognized and approved apprenticeship programs.
21 Such regulations shall—

22 (1) **【conditions for regulations to be supplied**
23 **on basis of labor initiatives】**.

24 “(e) **GENERAL ADMINISTRATIVE PROVISIONS.**—

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1 pate in recognized and approved apprenticeship programs.

2 Such regulations shall—

3 (1) [conditions for regulations to be supplied
4 on basis of labor initiatives].

5 “(e) GENERAL ADMINISTRATIVE PROVISIONS.—

6 [to be supplied - may already be located in
7 general Corporation powers.]

8 “(f) [Additional Provisions - to be supplied].

9 “(g) DEFINITION OF INSTITUTION OF HIGHER EDU-
10 CATION.—Notwithstanding section 101 of this Act, for
11 purposes of this section the term ‘institution of higher
12 education’ has the meaning provided by section 481(a) of
13 the Higher Education Act of 1965 (20 U.S.C. 1088(a)).”.

14 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
15 tional and Community Service Act of 1990 (Public Law
16 101-610; 101 Stat. 3127) is amended by striking the
17 items relating to subtitle D of title I of such Act and in-
18 serting the following new items:

“Subtitle D—National Service Trust and Provision of National Service
Educational Awards

“Sec. 145. Establishment of the National Service Trust.

“Sec. 146. Individuals eligible to receive a national service educational award
from the Trust.

“Sec. 147. Determination of the amount of the national service educational
award.

“Sec. 148. Disbursement of national service educational awards.”.

19 (c) CONFORMING AMENDMENTS.—

20 [(1) IMPACT ON ELIGIBILITY FOR SUBSIDIZED

21 STAFFORD LOANS.—Section 428(a)(2)(C)(i) of the

repeats
from
line 20 on
previous
page.

1 Community Service Act of 1990 (42 U.S.C. 12751
2 et seq.),”.] [This attempts to prevent
3 “overborrowing” of subsidized loans by service
4 award recipients.]

5 [(2) IMPACT ON GENERAL NEEDS ANALYSIS.—
6 Section 480(j) of such Act (20 U.S.C. 1087vv(j)) is
7 amended by adding at the end the following new
8 paragraph:

9 [“(3) Notwithstanding paragraph (1), any na-
10 tional service educational award such student will re-
11 ceive under subtitle D of title I of the National and
12 Community Service Act of 1990 (42 U.S.C. 12751
13 et seq.) shall not be taken into account in determin-
14 ing estimated financial assistance not received under
15 this title.”.] [This attempts to prevent reduction of
16 grants to service award recipients.]

17 [(3) IMPACT ON ELIGIBILITY FOR OTHER
18 NEEDS-TESTED PROGRAMS.—To be supplied, eg.
19 AFDC, EITC?]

20 (4) IMPACT ON ELIGIBILITY FOR STAFFORD
21 LOAN FORGIVENESS.—Section 428J(c) of the Higher
22 Education Act of 1965 (20 U.S.C. 1078-10(c)) is
23 amended by adding at the end the following new
24 paragraph:

*This will
not go
over well
with
taxpayers*

1 “(5) INELIGIBILITY OF NATIONAL SERVICE
2 EDUCATIONAL AWARD RECIPIENTS.—No student
3 borrower who may, for the same volunteer service,
4 receive a benefit under both this section and subtitle
5 D of title I of the National and Community Service
6 Act of 1990 (42 U.S.C. 12751 et seq.).” [Note: as-
7 sumes prevention of double benefit for service will
8 occur at time of service, not at time of loan repay-
9 ment. How will this be implemented and coordinated
10 between Corporation and Sec. of Ed.?]

11 (5) IMPACT ON ELIGIBILITY FOR PERKINS LOAN
12 FORGIVENESS.—Section 465(a) of the Higher Edu-
13 cation Act of 1965 (20 U.S.C. 1087ee(a)) is amend-
14 ed by adding at the end the following new para-
15 graph:

16 “(6) No borrower who may, for the same volun-
17 teer service, receive a benefit under both this section
18 and subtitle D of title I of the National and Commu-
19 nity Service Act of 1990 (42 U.S.C. 12751 et
20 seq.).” [Note: assumes prevention of double benefit
21 for service will occur at time of service, not at time
22 of loan repayment. How will this be implemented
23 and coordinated between the Corporation and the
24 college to whom the loan is repaid?]

1 **SEC. 103. AMENDMENTS TO PROGRAMS FOR STUDENTS**
2 **AND OUT-OF-SCHOOL YOUTH.**

3 (a) AMENDMENTS TO SERVE-AMERICA PROGRAMS.—

4 (1) PURPOSE.—The purpose of this subsection
5 is to improve the Serve-America programs estab-
6 lished under part I of subtitle B of the National and
7 Community Service Act of 1990, and to enable the
8 Corporation for National Service, and the entities
9 receiving financial assistance under such part, to—

10 (A) work with teachers in elementary
11 schools and secondary schools within a commu-
12 nity, and with community-based agencies, to
13 create and offer service-learning opportunities
14 for all school-age youth;

15 (B) educate teachers, and faculty providing
16 teacher training and retraining, about service-
17 learning, and incorporate service-learning op-
18 portunities into classroom teaching to strength-
19 en academic learning;

20 (C) coordinate the work of adult volunteers
21 who work with elementary and secondary
22 schools as part of their community service ac-
23 tivities; and

24 (D) work with employers in the commu-
25 nities to ensure that projects for middle school
26 and high school students introduce the students

1 to various careers and expose the students to
2 needed further education and training.

3 (2) PROGRAMS.—Subtitle B of title I of the Na-
4 tional and Community Service Act of 1990 (42
5 U.S.C. 12501 et seq.) is amended by striking the
6 subtitle heading and all that follows through the end
7 of part I and inserting the following:

8 **“Subtitle B—School-Based and**
9 **Community-Based Service-**
10 **Learning Programs**

11 **“PART I—SERVE-AMERICA PROGRAMS**

12 **“Subpart A—School-Based Programs for Students**

13 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**
14 **TRIBES.**

15 **“(a) USE OF FUNDS.—The Corporation, in consulta-**
16 **tion with the Secretary of Education, may make grants**
17 **under section 112(b)(1), and allotments under subsections**
18 **(a) and (b)(2) of section 112, to States and Indian tribes**
19 **to pay for the Federal share of—**

20 **“(1) planning and building the capacity of the**
21 **States or Indian tribes (which may be accomplished**
22 **through grants or contracts with qualified organiza-**
23 **tions) to implement statewide or tribal school-based**
24 **service-learning programs, including—**

We do not like the overall scheme. We strongly submit that it should be as we have previously submitted. We should rather ensure that states follow law re CBOs.

1 “(A) providing preservice and inservice
2 training for teachers, supervisors, personnel
3 from community-based agencies (particularly
4 with regard to the utilization of participants),
5 and trainers, to be conducted by qualified indi-
6 viduals or organizations that have experience
7 with service-learning;

8 “(B) developing service-learning curricula
9 to be integrated into academic programs, in-
10 cluding the age-appropriate learning component
11 described in section 114(d)(5)(B);

12 “(C) forming local partnerships described
13 in paragraph (2) or (4) to develop school-based
14 service-learning programs in accordance with
15 this subpart;

16 “(D) devising appropriate methods for re-
17 search and evaluation of the educational value
18 of service-learning and the effect of service-
19 learning activities on communities; and

20 “(E) establishing effective outreach and
21 dissemination of information to ensure the
22 broadest possible involvement of community-
23 based agencies with demonstrated effectiveness
24 in working with school-age youth in their com-
25 munities;

1 “(2) implementing, operating, or expanding
2 school-based service-learning programs, which may
3 include paying for the cost of the recruitment, train-
4 ing, supervision, placement, salaries, and benefits of
5 service-learning coordinators, through State distribu-
6 tion of Federal funds made available under this sub-
7 part to projects operated by local partnerships
8 among—

9 “(A) local educational agencies; and

10 “(B) one or more community partners
11 that—

12 “(i) shall include a public or private
13 nonprofit organization[^] that will make
14 projects available for participants, who
15 shall be students; and

16 “(ii) may include a private for-profit
17 business or private elementary or second-
18 ary school;

19 “(3) planning of school-based service-learning
20 programs through State distribution of Federal
21 funds made available under this subpart to local
22 educational agencies or elementary or secondary
23 schools, which planning may include paying for the
24 cost of—

*or other
educational
agency.
high school
to middle
or grade
school
mentoring
or tutoring.*

1 “(A) the salaries and benefits of service-
2 learning coordinators; or

“(B) the recruitment, training, supervision,
and placement of service-learning coordinators
who are participants in a program under sub-
title C or receive a national service educational
award under subtitle D,

8 who will identify the community partners described
9 in paragraph (2)(B) and assist in the design and im-
10 plementation of a program described in paragraph
11 (2); and

12 “(4) implementing, operating, or expanding
13 school-based service-learning programs involving
14 adult volunteers to utilize service-learning to improve
15 the education of students through State distribution
16 of Federal funds made available under this part to
17 local partnerships among—

18 “(A) local educational agencies; and

19 “(B) one or more public or private non-
20 profit organizations or private for-profit busi-
21 nesses, [^] *or other educational*

22 that coordinate and operate projects for participants,
23 who shall be students.

24 “(b) DUTIES OF SERVICE-LEARNING COORDINA-
25 TOR.—A service-learning coordinator referred to in para-

1 graph (2) or (3) of subsection (a) shall provide services
2 to a local educational agency, elementary school, or sec-
3 ondary school by—

4 “(1) expanding the awareness of teachers of the
5 potential of service-learning in strengthening the
6 educational achievement, leadership development,
7 and substantive learning, of students;

8 “(2) providing technical assistance and informa-
9 tion to, and facilitating the training of, teachers who
10 want to use service-learning in their classrooms;

11 “(3) assisting local partnerships described in
12 subsection (a) in the planning, development, and
13 execution of service-learning projects;

14 “(4) recruiting and supervising adult volun-
15 teers, or individuals who are participants in a pro-
16 gram under subtitle C or receive a national service
17 educational award under subtitle D, to expand serv-
18 ice-learning opportunities; and

19 “(5) coordinating the activities of the service-
20 learning coordinator with the activities of the com-
21 mittee described in section 114(d)(1), and, where
22 appropriate, assisting the committee.

23 “(c) RELATED EXPENSES.—A partnership, local edu-
24 cational agency, elementary or secondary school, or other
25 qualified organization that receives financial assistance

1 under this subpart may, in carrying out the activities de-
 2 scribed in subsection (a), use such assistance to pay for
 3 the Federal share of reasonable costs related to the super-
 4 vision of participants, program administration, transpor-
 5 tation, insurance, evaluations, and for other reasonable ex-
 6 penses related to the activities.

7 **"SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**
 8 **NONPARTICIPATING STATES.**

9 "In any fiscal year in which a State or Indian tribe
 10 does not participate in programs under this subpart, the
 11 Corporation may use the allotment of that State or Indian
 12 tribe under subsection (a) or (b)(2) of section 112 to make
 13 direct grants to pay for the Federal share of the cost of—

14 "(1) carrying out the activities described in
 15 paragraph (2) or (4) of section 111(a), to a local
 16 partnership described in such paragraph; or

17 "(2) carrying out the activities described in
 18 paragraph (3) of such section, to an agency or
 19 school described in such paragraph,
 20 that is located in the State, or serves the Indian tribe.

21 **"SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
 22 **NONPROFIT ORGANIZATIONS.**

23 "(a) IN GENERAL.—The Corporation may make a
 24 grant under section 112(b)(1) to a public or private non-
 25 profit organization that—

*This reads
 as though
 Indian
 Tribes get
 an allotment
 based on
 population
 (see p 71, lines
 11-20) in
 addition to
 1 %.*

1 “(1) has experience with service-learning; and
2 “(2) was in existence 1 year before the date on
3 which the organization submitted an application
4 under section 114(a).

5 “(b) USE OF FUNDS.—Such an organization may use
6 a grant made under subsection (a) to make grants to part-
7 nerships described in section 111(a)(2) to implement, op-
8 erate, or expand school-based service-learning programs as
9 described in such section.

10 **“SEC. 112. GRANTS AND ALLOTMENTS.**

11 “(a) INDIAN TRIBES AND TERRITORIES.—Of the
12 amounts appropriated to carry out this subpart for any
13 fiscal year, the Corporation shall reserve an amount of not
14 more than 1 percent for payments to Indian tribes, the
15 Virgin Islands, Guam, American Samoa, and the Com-
16 monwealth of the Northern Mariana Islands, to be allotted
17 in accordance with their respective needs. The Corporation
18 may also make payments from such amount to Palau, in
19 accordance with its needs, until such time as the Compact
20 of Free Association is ratified.

21 “(b) GRANTS AND ALLOTMENTS THROUGH
22 STATES.—The Corporation shall use the remainder of the
23 funds appropriated to carry out this subpart for any fiscal
24 year as follows:

1 “(1) GRANTS.—Except as provided in para-
2 graph (3), from [25 percent] of such funds, the
3 Corporation may make grants, on a competitive
4 basis, to—

5 “(A) State educational agencies and Indian
6 tribes; or

7 “(B) as described in section 111B, to pub-
8 lic or private nonprofit organizations.

9 “(2) ALLOTMENTS.—

10 “(A) SCHOOL-AGE YOUTH.—Except as pro-
11 vided in paragraph (3), from [37.5 percent] of
12 such funds, the Corporation shall allot to each
13 State an amount that bears the same ratio to
14 [37.5 percent] of such funds as the number of
15 school-age youth in the State bears to the total
16 number of school-age youth of all States.

17 “(B) ALLOCATION UNDER ELEMENTARY
18 AND SECONDARY EDUCATION ACT OF 1965.—
19 Except as provided in paragraph (3), from
20 [37.5 percent] of such funds, the Corporation
21 shall allot to each State an amount that bears
22 the same ratio to [37.5 percent] of such funds
23 as the allocation to the State for the previous
24 fiscal year under chapter 1 of title I of the Ele-
25 mentary and Secondary Education Act of 1965

1 (20 U.S.C. 2711 et seq.) bears to such alloca-
2 tions to all States.

3 “(3) MINIMUM AMOUNT.—No State shall re-
4 ceive, under paragraph (2), an allotment that is less
5 than the allotment such State received for fiscal year
6 1993 under section 112(b) of this Act, as in effect
7 on the day before the date of enactment of this part.
8 If the amount of funds made available in a fiscal
9 year to carry out paragraph (2) is insufficient to
10 make such allotments, the Corporation shall make
11 available sums from the [25 percent] described in
12 paragraph (1) for such fiscal year to make such al-
13 lotments.

14 “(4) DEFINITION.—Notwithstanding section
15 101(25), for purposes of this subsection, the term
16 ‘State’ means each of the several States, the District
17 of Columbia, the Commonwealth of Puerto Rico, and
18 an Indian tribe.

19 “(c) REALLOTMENT.—If the Corporation determines
20 that the allotment of a State or Indian tribe under this
21 section will not be required for a fiscal year because the
22 State or Indian tribe does not participate in programs
23 under this subpart in such fiscal year, the Corporation
24 shall, after making any grants under section 111A to a
25 partnership, agency, or school described in such section,

satisfactorily

1 make any remainder of such allotment available for real-
 2 lotment to such other States, and Indian tribes, with ap-
 3 proved applications submitted under section 113, as the
 4 Corporation may determine to be appropriate.

5 “(d) EXCEPTION.—Notwithstanding subsections (a)
 6 and (b), if less than \$20,000,000 is appropriated for any
 7 fiscal year to carry out this subpart, the Corporation shall
 8 award grants to States and Indian tribes, from the
 9 amount so appropriated, on a competitive basis to pay for
 10 the Federal share of the activities described in section 111.

11 **“SEC. 113. STATE OR TRIBAL APPLICATIONS.**

12 “(a) SUBMISSION.—To be eligible to receive a grant
 13 under section 112(b)(1), an allotment under subsection
 14 (a) or (b)(2) of section 112, a reallocation under section
 15 112(c), or a grant under section 112(d), a State, acting
 16 through the State educational agency, or an Indian tribe,
 17 shall prepare, submit to the Corporation, and obtain ap-
 18 proval of, an application at such time and in such manner
 19 as the Chairperson may reasonably require.

20 “(b) CONTENTS.—An application that is submitted
 21 under subsection (a) with respect to service-learning pro-
 22 grams described in section 111 shall include—

23 “(1) a 3-year strategic plan for promoting serv-
 24 ice-learning through the programs, which plan shall

*We feel that
 an overall
 comprehensive
 state plan
 should be
 required
 of state
 commissions.*

1 contain such information as the Chairperson may
2 reasonably require, such as—

3 “(A) a description of the goals to be at-
4 tained in promoting service-learning through
5 such programs;

6 “(B) a description of—

7 “(i) the resources and organization
8 needed to achieve the goals of such pro-
9 grams within elementary schools and sec-
10 ondary schools; and

11 “(ii) the manner in which such pro-
12 grams and the activities to be carried out
13 under such programs relate to the goals
14 described in subparagraph (A); and

15 “(C) a description of the manner in
16 which—

17 “(i) the programs will promote in-
18 volvement in service-learning activities
19 within the State or Indian tribe and within
20 such schools;

21 “(ii) the applicant will evaluate the
22 success of the programs and the extent of
23 community involvement in the programs,
24 and measure the extent to which the pro-

1 grams meet the goals described in subpara-
2 graph (A);

3 “(iii) the applicant will rank applica-
4 tions submitted under section 114(c) ac-
5 cording to the criteria described in section
6 115(b), and in a manner that ensures the
7 equitable treatment of all such applica-
8 tions;

9 “(iv) the programs will be coordinated
10 with—

11 “(I) the education reform efforts
12 of the applicant;

13 “(II) other efforts to meet the
14 **【National Education Goals,】**;

15 “(III) other service activities in
16 the State or serving the Indian tribe;
17 and

18 “(IV) other education programs,
19 training programs, social service pro-
20 grams, and appropriate programs that
21 serve school-age youth, that are au-
22 thorized under Federal law;

23 “(v) the applicant will disseminate in-
24 formation, conduct outreach, and take
25 other measures, to encourage cooperative

1 efforts among the local educational agen-
2 cies, local government agencies, commu-
3 nity-based agencies, State agencies, and
4 private for-profit businesses that will carry
5 out the service-learning programs proposed
6 by the applicant, to develop and provide
7 projects, including those that involve the
8 participation of urban, suburban, and rural
9 students working together;

10 “(vi) the applicant will promote ap-
11 propriate projects in such programs for
12 economically disadvantaged students, stu-
13 dents with limited basic skills, students in
14 foster care who are becoming too old for
15 foster care, students of limited-English
16 proficiency, homeless students, and stu-
17 dents with disabilities;

18 “(vii) service-learning training and
19 technical assistance will be provided
20 through the programs—

21 “(I) to State and local edu-
22 cational agency personnel, federally
23 assisted education specialists in the
24 State or serving the Indian tribe, and
25 local recipients of grants under this

1 subpart, to raise the awareness of
2 service-learning among such person-
3 nel, specialists, and recipients; and

4 “(II) by qualified and experi-
5 enced individuals employed by the
6 State or Indian tribe or through
7 grants or contracts with such individ-
8 uals;

9 “(viii) a service-learning network will
10 be established for the State or Indian
11 tribe, comprised of expert teachers and ad-
12 ministrators who have carried out success-
13 ful service-learning activities within the
14 State or serving the Indian tribe; and

15 “(ix) the applicant will use payments
16 from sources described in section
17 116(a)(2)(B) to expand projects for stu-
18 dents through the programs proposed by
19 the applicant;

20 “(2) assurances that—

21 “(A) the applicant will keep such records
22 and provide such information to the Corpora-
23 tion with respect to the programs as may be re-
24 quired for fiscal audits and program evaluation;
25 and

1 “(B) the applicant will comply with the
2 nonduplication and nondisplacement require-
3 ments of section 177; and

4 “(3) such additional information as the Chair-
5 person may reasonably require.

6 **“SEC. 114. LOCAL APPLICATIONS.**

7 “(a) APPLICATION TO CORPORATION TO MAKE
8 GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PRO-
9 GRAMS.—

10 “(1) IN GENERAL.—To be eligible to receive a
11 grant in accordance with section 111B(a) to make
12 grants relating to school-based service-learning pro-
13 grams described in section 111(a)(2), a public or
14 private nonprofit organization shall prepare, submit
15 to the Corporation, and obtain approval of, an appli-
16 cation.

17 “(2) SUBMISSION.—Such application shall be
18 submitted at such time and in such manner, and
19 shall contain such information, as the Chairperson
20 may reasonably require. Such application shall in-
21 clude a proposal to assist such programs in more
22 than 1 State.

23 “(b) DIRECT APPLICATION TO CORPORATION TO
24 CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-
25 GRAMS IN NONPARTICIPATING STATES.—To be eligible to

*Suggest
at least
experience,
track
records,
program in
at least
2 states.*

1 receive a grant from the Corporation in the circumstances
2 described in section 111A to carry out an activity de-
3 scribed in such section, a partnership, agency, or school
4 described in such section shall prepare, submit to the Cor-
5 poration, and obtain approval of, an application. Such ap-
6 plication shall be submitted at such time and in such man-
7 ner, and shall contain such information, as the Chair-
8 person may reasonably require.

9 “(c) APPLICATION TO STATE OR INDIAN TRIBE TO
10 RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED
11 SERVICE-LEARNING PROGRAMS.—

12 “(1) IN GENERAL.—Any—

13 “(A) qualified organization that desires to
14 receive financial assistance under this subpart
15 from a State or Indian tribe for an activity de-
16 scribed in section 111(a)(1);

17 “(B) partnership described in section
18 111(a)(2) that desires to receive such assistance
19 from a State, Indian tribe, or grantmaking en-
20 tity for an activity described in section
21 111(a)(2);

22 “(C) agency or school described in section
23 111(a)(3) that desires to receive such assistance
24 from a State or Indian tribe for an activity de-
25 scribed in such section; or

1 “(D) partnership described in section
2 111(a)(4) that desires to receive such assistance
3 from a State or Indian tribe for an activity de-
4 scribed in such section,
5 to be carried out through a service-learning program
6 described in section 111, shall prepare, submit to
7 the State educational agency, Indian tribe, or
8 grantmaking entity, and obtain approval of, an ap-
9 plication for the program.

10 “(2) SUBMISSION.—Such application shall be
11 submitted at such time and in such manner, and
12 shall contain such information, as the agency, tribe,
13 or entity may reasonably require.

14 “(d) CONTENTS OF APPLICATION.—An application
15 that is submitted under subsection (a), (b), or (c) with
16 respect to a service-learning program described in section
17 111 shall, at a minimum, contain a proposal that
18 includes—

19 “(1) information specifying the membership and
20 role of an established advisory committee, consisting
21 of representatives of community-based agencies in-
22 cluding service recipients, students, parents, teach-
23 ers, administrators, representatives of agencies that
24 serve school-age youth or older adults, school board
25 members, representatives of labor, and representa-

1 tives of business, that will provide advice with re-
2 spect to the program;

3 “(2) a description of—

4 “(A) the goals of the program which shall
5 include goals that are quantifiable and dem-
6 onstrate any benefits from the program to par-
7 ticipants and the community;

8 “(B) service-learning projects to be pro-
9 vided under the program, and evidence that
10 participants will make a sustained commitment
11 to service in the projects;

12 “(C) the manner in which participants in
13 the program were or will be involved in the de-
14 sign and operation of the program;

15 “(D) preservice and inservice training for
16 supervisors, teachers, service sponsors, and par-
17 ticipants in the program;

18 “(E) the manner in which exemplary serv-
19 ice will be recognized under the program; and

20 “(F) any resources that will permit con-
21 tinuation of the program, if needed, after the
22 assistance received under this subpart for the
23 program has ended;

24 “(3) information that shall include—

1 “(A) a disclosure of whether or not the
2 participants will receive academic credit for par-
3 ticipation in the program;

4 “(B) the expected number of participants
5 in the program and the hours of service that
6 such participants will provide individually and
7 as a group;

8 “(C) the proportion of expected partici-
9 pants in the program who are economically dis-
10 advantaged, including participants with disabili-
11 ties; and

12 “(D) any role of adult volunteers in imple-
13 menting the program, and the manner in which
14 such volunteers will be recruited;

15 “(4) in the case of an application submitted by
16 a local partnership, a written agreement, between
17 the members of the local partnership, stating that
18 the program was jointly developed by the members
19 and that the program will be jointly executed by the
20 members; and

21 “(5) assurances that—

22 “(A) prior to the placement of a partici-
23 pant, the entity carrying out the program will
24 consult with any local labor organization rep-
25 resenting employees in the area who are en-

1 gaged in the same or similar work as that pro-
2 posed to be carried out by such program, to
3 prevent the displacement and protect the rights
4 of such employees;

5 “(B) the entity carrying out the program
6 will develop an age-appropriate learning compo-
7 nent for participants in the program that shall
8 include a chance for participants to analyze and
9 apply their service experiences; and

10 “(C) the entity carrying out the program
11 will comply with the nonduplication and
12 nondisplacement requirements of section 177.

13 **“SEC. 115. CONSIDERATION OF APPLICATIONS.**

14 “(a) CORPORATION CRITERIA FOR APPLICATIONS.—
15 In making grants under section 112(b)(1), the Corpora-
16 tion shall give priority to States and Indian tribes that
17 submit applications under section 113 that meet such cri-
18 teria with respect to sustainability, replicability, innova-
19 tion, and quality of programs under this subpart as the
20 Chairperson may by regulation specify.

21 “(b) PRIORITY FOR LOCAL APPLICATIONS.—

22 “(1) IN GENERAL.—In providing assistance
23 under this subpart, a State educational agency or
24 Indian tribe, or the Corporation if section 111A or
25 111B applies, shall give priority to entities that sub-

1 mit applications under section 114 with respect to
2 service-learning programs described in section 111
3 that—

4 “(A) involve participants in the design and
5 operation of the program;

6 “(B) are in the greatest need of assistance,
7 such as programs targeting low-income areas;

8 “(C) involve—

9 “(i) students from public elementary
10 or secondary schools, and students from
11 private elementary or secondary schools,
12 serving together; or

13 “(ii) students of different ages, races,
14 sexes, ethnic groups, disabilities, or eco-
15 nomic backgrounds, serving together; or

16 “(D) are integrated into the academic pro-
17 gram of the participants.

18 “(c) REJECTION OF APPLICATIONS.—

19 “(1) NOTIFICATION OF APPLICANTS.—If the
20 Corporation rejects an application submitted by a
21 State or Indian tribe under section 113, the Cor-
22 poration shall promptly notify the State or Indian
23 tribe of the reasons for the rejection of the applica-
24 tion. The Corporation shall provide the State or In-
25 dian tribe with a reasonable opportunity to revise

*see
page 72*

*includes
competitive
grants, not
just
allocments*

*Revise
should only
apply to
allocment.*

1 and resubmit the application and shall provide tech-
2 nical assistance, if needed, to the State or Indian
3 tribe as part of the resubmission process. The Cor-
4 poration shall promptly reconsider such resubmitted
5 application.

6 “(2) OTHER APPLICANTS.—The Corporation is
7 not required to provide ~~notice~~ to applicants other
8 than States and Indian tribes of the failure of the
9 Corporation to approve an application under section
10 114 for assistance.

*for
resubmission
of application*

11 **“SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**
12 **FROM PRIVATE SCHOOLS.**

13 “(a) IN GENERAL.—To the extent consistent with the
14 number of students in the State or Indian tribe or in the
15 school district of the local educational agency involved who
16 are enrolled in private nonprofit elementary and secondary
17 schools, such State, Indian tribe, or agency shall (after
18 consultation with appropriate private school representa-
19 tives) make provision—

20 “(1) for the inclusion of services and arrange-
21 ments for the benefit of such students so as to allow
22 for the equitable participation of such students in
23 the programs implemented to carry out the objec-
24 tives and provide the benefits described in this sub-
25 part; and

1 “(2) for the training of the teachers of such
2 students so as to allow for the equitable participa-
3 tion of such teachers in the programs implemented
4 to carry out the objectives and provide the benefits
5 described in this subpart.

6 “(b) WAIVER.—If a State, Indian tribe, or local edu-
7 cational agency is prohibited by law from providing for
8 the participation of students or teachers from private non-
9 profit schools as required by subsection (a), or if the Cor-
10 poration determines that a State, Indian tribe, or local
11 educational agency substantially fails or is unwilling to
12 provide for such participation on an equitable basis, the
13 Chairperson shall waive such requirements and shall ar-
14 range for the provision of services to such students and
15 teachers. Such waivers shall be subject to consultation,
16 withholding, notice, and judicial review requirements in
17 accordance with paragraphs (3) and (4) of section 1017(b)
18 of the Elementary and Secondary Education Act of 1965
19 (20 U.S.C. 2727(b)).

20 **“SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

21 “(a) SHARE.—

22 “(1) IN GENERAL.—The Federal share attrib-
23 utable to this subpart of the cost of carrying out a
24 program for which a grant or allotment is made
25 under this subpart may not exceed—

1 “(A) 90 percent of the total cost of the
2 program for the first year for which the pro-
3 gram receives assistance under this subpart;

4 “(B) 80 percent of the total cost of the
5 program for the second year for which the pro-
6 gram receives assistance under this subpart;

7 “(C) 70 percent of the total cost of the
8 program for the third year for which the pro-
9 gram receives assistance under this subpart;
10 and

11 “(D) 50 percent of the total cost of the
12 program for the fourth year, and for any subse-
13 quent year, for which the program receives as-
14 sistance under this subpart.

15 “(2) CALCULATION.—In providing for the re-
16 maining share of the cost of carrying out such a pro-
17 gram, each recipient of assistance under this
18 subpart—

19 “(A) shall provide for such share through
20 a payment in cash or in kind, fairly evaluated,
21 including facilities, equipment, or services; and

22 “(B) may provide for such share through
23 State sources, local sources, or Federal sources
24 (other than funds made available under this
25 Act).

1 “(b) WAIVER.—The Chairperson may waive the re-
2 quirements of subsection (a) [^]with respect to any such pro-
3 gram in any fiscal year if the Corporation determines that
4 such a waiver would be equitable due to a lack of available
5 financial resources at the local level.

*in whole
or in
part*

6 **“SEC. 116A. LIMITATIONS ON USES OF FUNDS.**

7 “(a) ADMINISTRATIVE COSTS.—

8 “(1) STATE EDUCATIONAL AGENCY, INDIAN
9 TRIBE, OR GRANTMAKING ENTITY.—A State edu-
10 cational agency, Indian tribe, or grantmaking entity
11 that receives a grant or allotment under this subpart
12 for a fiscal year may reserve not more than 5 per-
13 cent of the funds made available through the grant
14 or allotment for the fiscal year, for administrative
15 costs of programs carried out under this subpart.

16 “(2) GRANT RECIPIENT.—If a grantmaking en-
17 tity makes a reservation under paragraph (1) of
18 funds made available for a fiscal year, a partnership
19 that receives a grant from the grantmaking entity
20 under this subpart for such fiscal year may not use
21 funds made available through the grant for adminis-
22 trative costs. If the grantmaking entity does not
23 make such a reservation, the partnership that re-
24 ceives the grant may use not more than 5 percent
25 of the funds made available through the grant for

1 administrative costs of programs carried out under
2 this subpart.

3 “(b) CAPACITY-BUILDING ACTIVITIES.—A State edu-
4 cational agency or Indian tribe that receives a grant or
5 allotment under this subpart for a fiscal year may reserve
6 not less than 10 percent and not more than 15 percent
7 of such funds, to build capacity through training, technical
8 assistance, curriculum development, and coordination ac-
9 tivities, described in section 111(a)(1).

10 “(c) LOCAL USES OF FUNDS.—Funds made available
11 under this subpart may not be used to pay any stipend,
12 allowance, or other financial support to any elementary or
13 secondary school student who is a participant under this
14 subtitle, except reimbursement for transportation, meals,
15 and other reasonable out-of-pocket expenses directly relat-
16 ed to participation in a program assisted under this sub-
17 part.

18 **“SEC. 116B. DEFINITIONS.**

19 “As used in this subpart:

20 “(1) GRANTMAKING ENTITY.—The term
21 ‘grantmaking entity’ means an organization de-
22 scribed in section 111B(a).

23 “(2) SCHOOL-BASED.—The term ‘school-based’
24 means based in an elementary school or a secondary
25 school.

1 “(3) STUDENT.—Notwithstanding section
2 101(28), the term ‘student’ means an individual who
3 is enrolled in an elementary or secondary school on
4 a full- or part-time basis.

5 **“Subpart B—Community-Based Service Programs for**
6 **School-Age Youth**

7 **“SEC. 117. DEFINITIONS.**

8 “As used in this subpart:

9 “(1) COMMUNITY-BASED SERVICE PROGRAM.—
10 The term ‘community-based service program’ means
11 a program described in section 117A(b)(1)(A).

12 “(2) GRANTMAKING ENTITY.—The term
13 ‘grantmaking entity’ means a qualified organization
14 that—

15 “(A) submits an application under section
16 117C(a) to make grants to qualified organiza-
17 tions;

18 “(B) has experience with service-learning;
19 and

20 “(C) was in existence 1 year before the
21 date on which the organization submitted the
22 application.

23 “(3) QUALIFIED ORGANIZATION.—The term
24 ‘qualified organization’ means a public or private

1 nonprofit organization with experience working with
2 school-age youth.

3 **"SEC. 117A. GENERAL AUTHORITY.**

4 "(a) GRANTS.—From the funds appropriated to
5 carry out this subpart for a fiscal year, the Corporation
6 may make grants to State Commissions, grantmaking en-
7 tities, and qualified organizations to pay for the Federal
8 share of the implementation, operation, expansion, or rep-
9 lication of community-based service programs.

10 "(b) USE OF FUNDS.—

11 "(1) STATE COMMISSIONS AND GRANTMAKING
12 ENTITIES.—A State Commission or grantmaking en-
13 tity may use a grant made under subsection (a)—

14 "(A) to make a grant to a qualified organi-
15 zation to implement, operate, expand, or rep-
16 licate such a program that provides projects in-
17 volving meaningful human, educational, envi-
18 ronmental, or public safety service by partici-
19 pants, who shall be school-age youth; or

20 "(B) to provide training and technical as-
21 sistance to a such an organization.

22 "(2) QUALIFIED ORGANIZATIONS.—A qualified
23 organization, other than a grantmaking entity, may
24 use a grant made under subsection (a) to implement,

1 operate, expand, or replicate a program described in
2 paragraph (1)(A).

3 **"SEC. 117B. STATE APPLICATIONS.**

4 "(a) IN GENERAL.—To be eligible to receive a grant
5 under section 117A(a), a State Commission shall prepare,
6 submit to the Corporation, and obtain approval of, an ap-
7 plication.

8 "(b) SUBMISSION.—Such application shall be submit-
9 ted to the Corporation at such time and in such manner,
10 and shall contain such information, as the Chairperson
11 may reasonably require.

12 "(c) CONTENTS.—Such an application shall include,
13 at a minimum, a State plan that contains the descriptions,
14 proposals, and assurance described in section 117C(d)
15 with respect to each community-based service program
16 proposed to be carried out through funding distributed by
17 the State Commission under this subpart.

18 **"SEC. 117C. LOCAL APPLICATIONS.**

19 "(a) APPLICATION TO CORPORATION TO MAKE
20 GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—
21 To be eligible to receive a grant from the Corporation
22 under section 117A(a) to make grants under section
23 117A(b)(1), a ^{grantmaking entity} ~~qualified organization~~ shall prepare, submit
24 to the Corporation, and obtain approval of, an application
25 that proposes a community-based service program to be

1 carried out through grants made to qualified organiza-
2 tions. Such application shall be submitted at such time
3 and in such manner, and shall contain such information,
4 as the Chairperson may reasonably require.

5 “(b) DIRECT APPLICATION TO CORPORATION TO
6 CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—
7 To be eligible to receive a grant from the Corporation
8 under section 117A(a) to implement, operate, expand, or
9 replicate a community service program, a qualified organi-
10 zation shall prepare, submit to the Corporation, and ob-
11 tain approval of, an application that proposes a commu-
12 nity-based service program to be carried out at multiple
13 sites, or that proposes an innovative community-based
14 service program. Such application shall be submitted at
15 such time and in such manner, and shall contain such in-
16 formation, as the Chairperson may reasonably require.

17 “(c) APPLICATION TO STATE COMMISSION OR
18 GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY
19 OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be el-
20 igible to receive a grant from a State Commission or
21 grantmaking entity under section 117A(b)(1), a qualified
22 organization shall prepare, submit to the Commission or
23 entity, and obtain approval of, an application. Such appli-
24 cation shall be submitted at such time and in such man-

1 ner, and shall contain such information, as the Commis-
2 sion or entity may reasonably require.

3 “(d) REQUIREMENTS OF APPLICATION.—An applica-
4 tion submitted under subsection (a), (b), or (c) shall, at
5 a minimum, contain—

6 “(1) a description of any community-based
7 service program proposed to be implemented, oper-
8 ated, expanded, or replicated directly by the appli-
9 cant using assistance provided under this subpart;

10 “(2) a description of any grant program pro-
11 posed to be conducted by the applicant with assist-
12 ance provided under this subpart to support a com-
13 munity-based service program;

14 “(3) a proposal for carrying out the commu-
15 nity-based service program that describes the man-
16 ner in which the entity carrying out the program
17 will—

18 “(A) provide preservice and inservice train-
19 ing, for supervisors and participants, that will
20 be conducted by qualified individuals, or quali-
21 fied organizations, that have experience in com-
22 munity-based service programs;

23 “(B) include economically disadvantaged
24 individuals as participants in the program pro-
25 posed by the applicant;

1 “(C) provide an age-appropriate service-
2 learning component described in section
3 114(d)(5)(B);

4 “(D) conduct an appropriate evaluation of
5 the program;

6 “(E) provide for appropriate community
7 involvement in the program;

8 “(F) provide service experiences that pro-
9 mote leadership abilities among participants in
10 the program, including experiences that involve
11 such participants in program design;

12 “(G) involve participants in projects ap-
13 proved by community-based agencies;

14 “(H) establish and measure progress to-
15 ward the goals of the program; and

16 “(I) organize participants in the program
17 into teams, with team leaders who may be par-
18 ticipants in a program under subtitle C or indi-
19 viduals who receive a national service edu-
20 cational award under subtitle D; and

21 “(4) an assurance that the entity carrying out
22 the program proposed by the applicant will comply
23 with the nonduplication and nondisplacement provi-
24 sions of section 177.

1 **"SEC. 117D. CONSIDERATION OF APPLICATIONS.**

2 “(a) APPLICATION OF CRITERIA.—The Corporation
3 shall apply the criteria described in subsection (b) in de-
4 termining whether to approve an application submitted
5 under section 117B or under subsection (a) or (b) of sec-
6 tion 117C and to provide assistance under section 117A
7 to the applicant on the basis of the application.

8 “(b) ASSISTANCE CRITERIA.—The Corporation shall
9 consider, in evaluating such an application—

10 “(1) in the case of an application submitted by
11 a State Commission, the quality of the State plan
12 required under section 117B;

13 “(2) the quality of the community-based service
14 program to be conducted directly or supported by
15 the applicant;

16 “(3) the innovative aspects of the program, and
17 the extent to which the program can be replicated;

18 “(4) the sustainability of the program, based
19 on—

20 “(A) evidence of strong and broad-based
21 community support for the program; and

22 “(B) the existence of multiple funding
23 sources and private funding that will permit
24 continuation of the program after the assistance
25 received under this subpart for the program has
26 ended;

1 “(5)(A) the extent to which the program builds
2 on programs, authorized under this Act or under
3 other authority, that are in existence on the date of
4 submission of the application; and

5 “(B) the past performance of such programs;

6 “(6) the extent to which the community-based
7 service program involves participants in the design,
8 operation, and leadership of the program;

9 “(7) the extent to which the program provides
10 services where the services are needed most, such as
11 in communities that are designated as enterprise
12 zones or redevelopment areas or are otherwise tar-
13 geted for special economic incentives, areas that are
14 environmentally distressed, and communities ad-
15 versely affected by reductions in defense spending;
16 and

17 “(8) such other factors as the Chairperson con-
18 siders to be appropriate.

19 “(c) APPLICATION TO SUBGRANTS.—A State Com-
20 mission or grantmaking entity shall apply the criteria de-
21 scribed in subsection (b) in determining whether to ap-
22 prove an application under section 117C(c) and to make
23 a grant under section 117A(b)(1) to the applicant on the
24 basis of the application.

1 **"SEC. 117E. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

2 **"(a) FEDERAL SHARE.—**

3 **"(1) IN GENERAL.—**The Federal share attrib-
4 utable to this subpart of the cost of carrying out a
5 program for which a grant is made under this sub-
6 part may not exceed the percentage specified in sub-
7 paragraph (A), (B), (C), or (D) of section 116(a)(1),
8 as appropriate.

9 **"(2) CALCULATION.—**Each recipient of assist-
10 ance under this subpart shall comply with section
11 116(a)(2).

12 **"(b) WAIVER.—**The Chairperson may waive the re-
13 quirements of subsection (a) as provided in section 116(b).

14 **"SEC. 117F. LIMITATIONS ON USES OF FUNDS.**

15 **"(a) STATE COMMISSION OR GRANTMAKING EN-**
16 **TITY.—**A State Commission or grantmaking entity that
17 receives a grant under this subpart for a fiscal year may
18 reserve not more than 5 percent of the funds made avail-
19 able through such grant for the fiscal year, for administra-
20 tive costs of programs carried out under this subpart.

21 **"(b) QUALIFIED ORGANIZATION.—**If a grantmaking
22 entity makes a reservation under subsection (a) of funds
23 made available for a fiscal year, a qualified organization
24 that receives a grant from the entity under this subpart
25 for such fiscal year may not use funds made available
26 through the grant for administrative costs. If the entity