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[National Service Trust Act-Discussion Drafts] [1]

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1 ~~“(c) APPLICATION.—To be eligible to receive a grant~~
2 ~~under subsection (a), an entity shall submit an application~~
3 ~~to the Director at such time, in such manner, and contain-~~
4 ~~ing such information as the Director may require.~~

5 **“SEC. 193A. CLEARINGHOUSES.**

6 “The Corporation shall provide assistance to appro-
7 priate entities to establish one or more regional service
8 clearinghouses, including the clearinghouse described in
9 section 117N.

10 **“SEC. 193B. PRESIDENTIAL AWARDS FOR SERVICES.**

11 “(a) PRESIDENTIAL AWARDS.—

12 “(1) IN GENERAL.—The President, acting
13 through the Corporation, is authorized to make
14 Presidential Awards for service to—

15 “(A) individuals demonstrating outstand-
16 ing community service, including school-based
17 service;

18 “(B) outstanding service learning and com-
19 munity service programs; and

20 “(C) outstanding teachers in service-learn-
21 ing programs.

22 “(2) NUMBER OF AWARDS.—The President is
23 authorized to make one or more individual awards
24 under paragraph (1)(A), one or more teaching
25 awards under paragraph (1)(C), and one or more

To support conferences and publish materials designed to improve the quality of national service programming by disseminating information and promoting the sharing of information among practitioners.

To develop, establish, expand, or replicate model or innovative national service programs, including programs for rural youth, employer-based retiree programs, intergenerational programs, and programs sponsored by Governors.

To provide training assistance to the Peace Corps and national service programs (including VISTA) to be conducted on college campuses (take other information out of existing Subtitle E program).

To conduct a campaign to promote and recruit participants for programs assisted under the national service Acts.

To support national and regional participant and supervisor training, including training in specific types of service and in building a national service ethic.

To support research on national service, including service-learning.

To evaluate programs funded under the national service Acts, as described in sections ____.

To support one or more regional service clearinghouses, including the clearinghouses described in section 117N and in ____ of the DVSA.

To assist programs in integrating an intergenerational service component.

To coordinate community-wide planning among service programs and providers.

To establish innovative national standards and ^{ethic} ~~programs~~ for ethical and community-oriented behavior ^{by} ~~while~~ participants in ns programs.

Agency clause

12. Corporation Board
 - recusal provisions
 - subsidiary task forces in particular fields
13. Part-time service
14. Decertification

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
③ to establish a Corporation for National Service, ① enhance
opportunities for national service, and ② provide post-serv-
ice educational benefits 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

Initiatives (?)

- Sec. 101. Definitions.
Sec. 102. ~~Programs for students and out of school youth.~~ ⁽⁵⁾⁽¹⁾ ~~National Service Programs~~
Sec. 103. Federal investment in support of national service.
Sec. 104. National service trust and provision of post-service educational benefits.

TITLE II—ORGANIZATION

- Sec. 201. Corporation for National Service.
Sec. 202. State Commissions on National Service.
Sec. 203. State national service plans.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

- Sec. 301. Authorization.

TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS

- Sec. 401. Amendments.

1 **TITLE I—PROGRAMS**2 **SEC. 101. DEFINITIONS.**

3 Section 101 of the National and Community Service
4 Act of 1990 (42 U.S.C. 12511) is amended to read as
5 follows:

6 **“SEC. 101. DEFINITIONS.**

7 “For purposes of this title:

8 “(1) ADULT VOLUNTEER.—The term ‘adult vol-
9 unteer’ means—

10 “(A) an individual who is beyond the age
11 of compulsory schooling, including an older
12 American, an individual with a disability, and a
13 parent;

14 “(B) an employee of a private business;

15 “(C) an employee of a public or nonprofit
16 agency; or

1 “(D) any other individual working without
2 financial remuneration in an education institu-
3 tion to assist students or out-of-school youth.

4 “(2) APPROVED NATIONAL SERVICE POSI-
5 TION.—The term ‘approved national service position’
6 means a national service position designated under
7 part III of subtitle C as a position that includes a
8 post-service educational benefit described in subtitle
9 D as one of the benefits to be provided for successful
10 service in the position.

11 “(3) COMMUNITY-BASED AGENCY.—The term
12 ‘community-based agency’ means a private nonprofit
13 organization that is representative of a community
14 or a significant segment of a community and that is
15 engaged in meeting human, educational, environ-
16 mental, or public safety community needs.

17 “(4) CORPORATION.—The term ‘Corporation’
18 means the Corporation for National Service estab-
19 lished under section 191.

20 “(5) CREW SUPERVISOR.—The term ‘crew su-
21 pervisor’ means the adult staff individual who is re-
22 sponsible for supervising a crew of participants, in-
23 cluding the crew leader.

24 “(6) DIRECTOR.—The term ‘Director’, except
25 when used as part of the term ‘Managing Director’

1 or 'Board of Directors', means the Chairperson and
2 Executive Director of the Corporation appointed
3 under section 191C.

4 “(7) ECONOMICALLY DISADVANTAGED.—The
5 term 'economically disadvantaged', used with respect
6 to youths, has the same meaning given such term in
7 section 4(8) of the Job Training Partnership Act
8 (29 U.S.C. 1503(8)).

9 “(8) ELEMENTARY SCHOOL.—The term 'ele-
10 mentary school' has the same meaning given such
11 term in section 1471(8) of the Elementary and Sec-
12 ondary Education Act of 1965 (20 U.S.C. 2891(8)).

13 “(9) INDIAN.—The term 'Indian' means a per-
14 son who is a member of an Indian tribe.

15 “(10) INDIAN LANDS.—The term 'Indian lands'
16 means any real property owned by an Indian tribe,
17 any real property held in trust by the United States
18 for an Indian or Indian tribes, and any real property
19 held by an Indian or Indian tribes that is subject to
20 restrictions on alienation imposed by the United
21 States.

22 “(11) INDIAN TRIBE.—The term 'Indian tribe'
23 means an Indian tribe, band, nation, or other orga-
24 nized group or community, including any Alaska Na-
25 tive village or regional or village corporation as de-

1 fined in or established pursuant to the Alaska Na-
2 tive Claims Settlement Act (43 U.S.C. 1601 et seq.)
3 that is recognized as eligible for the special pro-
4 grams and services provided by the United States to
5 Indians because of their status as Indians.

6 “(12) INSTITUTION OF HIGHER EDUCATION.—
7 The term ‘institution of higher education’ has the
8 same meaning given such term in section 1201(a) of
9 the Higher Education Act of 1965 (20 U.S.C.
10 1141(a)).

11 “(13) LOCAL EDUCATIONAL AGENCY.—The
12 term ‘local educational agency’ has the same mean-
13 ing given such term in section 1471(12) of the Ele-
14 mentary and Secondary Education Act of 1965 (20
15 U.S.C. 2891(12)).

16 “(14) LOCAL GOVERNMENT AGENCY.—The
17 term ‘local government agency’ means a public agen-
18 cy that is engaged in meeting human, social, edu-
19 cational, or environmental needs.

20 “(15) NATIONAL SERVICE LAWS.—The term
21 ‘national service laws’ means this Act and the Do-
22 mestic Volunteer Service Act of 1973.

23 “(16) OUT-OF-SCHOOL YOUTH.—The term ‘out-
24 of-school youth’ means an individual who—

25 “(A) has not attained the age of 27;

1 “(B) has not completed college or the
2 equivalent thereof; and

3 “(C) is not enrolled in an elementary or
4 secondary school or institution of higher edu-
5 cation.

6 “(17) PARTICIPANT.—The term ‘participant’
7 means an individual enrolled in a program that re-
8 ceives assistance under this title. Participants shall
9 not be considered employees of the program.

10 “(18) PARTNERSHIP PROGRAM.—The term
11 ‘partnership program’ means a program through
12 which adult volunteers, public or private agencies,
13 institutions of higher education, or businesses assist
14 a local educational agency.

15 “(19) PLACEMENT.—The term ‘placement’
16 means the matching of a participant with a specific
17 project.

18 “(20) PROGRAM.—The term ‘program’ means
19 an activity carried out with assistance provided
20 under this title.

21 “(21) PROGRAM AGENCY.—The term ‘program
22 agency’ means—

23 “(A) a Federal or State agency designated
24 to manage a youth corps program;

1 “(B) the governing body of an Indian tribe
2 that administers a youth corps program; or

3 “(C) a local applicant administering a
4 youth corps program.

5 “(22) PROJECT.—The term ‘project’ means an
6 activity that results in a specific identifiable service
7 or product that otherwise would not be done with ex-
8 isting funds, and that does not duplicate the routine
9 services or functions of the employer to whom par-
10 ticipants are assigned.

11 “(23) PUBLIC LANDS.—The term ‘public lands’
12 means any lands or waters (or interest therein)
13 owned or administered by the United States or by
14 an agency or instrumentality of a State or local gov-
15 ernment.

16 “(24) SCHOOL-AGED YOUTH.—The term
17 ‘school-aged youth’ means an individual between the
18 ages of 5 and 17, inclusive.

19 “(25) SECONDARY SCHOOL.—The term ‘second-
20 ary school’ has the same meaning given such term
21 in section 1471(21) of the Elementary and Second-
22 ary Education Act of 1965 (20 U.S.C. 2891(21)).

23 “(26) SERVICE-LEARNING.—The term ‘service-
24 learning’ means a method—

1 “(A) under which students or participants
2 learn and develop through active participation
3 in thoughtfully organized service experiences
4 that meet actual community needs and that are
5 coordinated in collaboration with an elementary
6 school, secondary school, institution of higher
7 education, or community service program, and
8 with the community;

Note: see p. 63:

9 “(B) that is integrated into the academic
10 curriculum or educational program of the stu-
11 dents or participants, or provides structured
12 time for a student or participant to think, talk,
13 or write about what the student or participant
14 did and saw during the actual service activity;

15 “(C) that provides students or participants
16 with opportunities to use newly acquired skills
17 and knowledge in real-life situations in their
18 own communities; and

19 “(D) that enhances what is taught in an
20 elementary school, secondary school or institu-
21 tion of higher education, or in the educational
22 components of a community service program, by
23 extending student or participant learning be-
24 yond the classroom and into the community and

1 helps to foster the development of a sense of
2 caring for others.

3 “(27) SERVICE-LEARNING COORDINATOR.—The
4 term ‘service-learning coordinator’ means an individ-
5 ual who provides services, with respect to a local
6 educational agency or an elementary school or sec-
7 ondary school, by—

8 “(A) working with community-based agen-
9 cies to develop service-learning opportunities for
10 students;

11 “(B) expanding the awareness of teachers
12 of the potential of service-learning as a method
13 for strengthening educational achievement,
14 youth leadership development, and substantive
15 learning;

16 “(C) providing technical assistance and in-
17 formation to teachers who want to use service-
18 learning in their classrooms;

19 “(D) assisting in the planning and execu-
20 tion of service-learning projects, including the
21 age-appropriate learning component described
22 in section 114(b)(5)(B);

23 “(E) recruiting and supervising adult vol-
24 unteers, or individuals who are participants in
25 a program under subtitle C or receive a post-

1 service educational benefit under subtitle D, to
2 assist in expanding service-learning opportuni-
3 ties;

4 “(F) advocating the formation of a com-
5 mittee comprised of teachers, students, parents,
6 representatives of community-based agencies,
7 and administrators, who are interested in, and
8 supportive of, service-learning, in order to build
9 a commitment to service-learning; and

10 “(G) facilitating teacher training in serv-
11 ice-learning.

12 “(28) SERVICE OPPORTUNITY.—The term ‘serv-
13 ice opportunity’ means a program or project, includ-
14 ing service learning programs or projects, that en-
15 ables participants to perform meaningful and con-
16 structive service in agencies, institutions, and situa-
17 tions where the application of human talent and
18 dedication may help to meet human, educational, lin-
19 guistic, and environmental community needs, espe-
20 cially those relating to poverty.

21 “(29) SPECIAL SENIOR SERVICE PARTICI-
22 PANT.—The term ‘special senior service participant’
23 means an individual who is age 60 or over and will-
24 ing to work full-time or part-time in conjunction
25 with a full-time national service program.

1 “(30) SPONSORING ORGANIZATION.—The term
2 ‘sponsoring organization’ means an organization, eli-
3 gible to receive assistance under this title, that has
4 been selected to provide a placement for a partici-
5 pant.

6 “(31) STATE.—The term ‘State’ means each of
7 the several States, the District of Columbia, the
8 Commonwealth of Puerto Rico, the Virgin Islands,
9 Guam, American Samoa, the Commonwealth of the
10 Northern Mariana Islands, and Palau, until such
11 time as the Compact of Free Association is ratified.

12 “(32) STATE COMMISSION.—The term ‘State
13 Commission’ means a State Commission on National
14 Service established pursuant to section 178.

15 “(33) STATE EDUCATIONAL AGENCY.—The
16 term ‘State educational agency’ has the same mean-
17 ing given such term in section 1471(23) of the Ele-
18 mentary and Secondary Education Act of 1965 (20
19 U.S.C. 2891(23)).

20 “(34) STUDENT.—The term ‘student’ means an
21 individual who is enrolled in an elementary or sec-
22 ondary school or institution of higher education on
23 a full- or part-time basis.

24 “(35) SUMMER PROGRAM.—The term ‘summer
25 program’ means a full-time or part-time youth corps

1 program authorized under this title that is limited to
2 a period beginning after April 30 and ending before
3 October 1.

4 “(36) VOLUNTEER.—The term ‘volunteer’ does
5 not include a participant.

6 “(37) YOUTH CORPS PROGRAM.—The term
7 ‘youth corps program’ means a program, such as a
8 conservation corps or youth service corps program,
9 that offers full-time, productive work (to be financed
10 through living allowances) with visible community
11 benefits in a natural resource or human service set-
12 ting and that gives participants a mix of work expe-
13 rience, basic and life skills, education, training, and
14 support services.”.

15 **SEC. 102. SERVICE PROGRAMS.**

16 (a) PROGRAMS.—Subtitle B of title I of the National
17 and Community Service Act of 1990 (42 U.S.C. 12501
18 et seq.) is amended to read as follows:

1 **“Subtitle B—Programs for Students**
2 **and Out-of-School Youth**

3 **“PART I—SERVE-AMERICA**

4 **“Subpart A—General Provisions**

5 **“SEC. 110. SHORT TITLE.**

6 “This subtitle may be cited as the ‘Serve-America:
7 The Community Service, Schools and Service-Learning
8 Act of 1990’.

9 **“SEC. 110A. PURPOSE.**

10 “The purpose of this part is to enable the Corpora-
11 tion, and the entities receiving financial assistance under
12 this part, to—

13 “(1) work with teachers in elementary schools
14 and secondary schools within a community, and with
15 community-based agencies, to create and offer serv-
16 ice-learning opportunities for all school-aged youth,
17 which opportunities may be offered at any time dur-
18 ing the calendar year;

19 “(2) educate teachers, and faculty providing
20 teacher training and retraining, about service-learn-
21 ing, and incorporate service-learning opportunities
22 into classroom teaching to strengthen academic
23 learning;

24 “(3) coordinate the work of students who at-
25 tend institutions of higher education and other adult

1 volunteers who work with elementary and secondary
2 schools as part of their community service activities;
3 and

4 “(4) work with employers in the communities to
5 ensure that service opportunities for middle and high
6 school students introduce students to various careers
7 and expose the students to needed further education
8 and training.

9 **“SEC. 110B. DEFINITION.**

10 “As used in this part, the term ‘school’ means an ele-
11 mentary school or a secondary school.

12 **“SEC. 110C. AVAILABILITY OF APPROPRIATIONS.**

13 “Of the aggregate amount appropriated to carry out
14 this part for each fiscal year—

15 “(1) a sum equal to 85 percent of such amount
16 shall be available to carry out subpart B; and

17 “(2) a sum equal to 15 percent of such amount
18 shall be available to carry out subpart C.

19 **“Subpart B—Grants and Allotments Through States**

20 **“SEC. 111. GENERAL AUTHORITY.**

21 “(a) IN GENERAL.—The Director, in consultation
22 with the Secretary of Education, may make grants under
23 section 112(b)(1) and allotments under section 112(b)(2)
24 to States or, in a case described in subsection (b), local
25 applicants, to pay for the Federal share of—

1 “(1) planning and building State capacity
2 (which may be accomplished through grants and
3 contracts with qualified organizations) for imple-
4 menting statewide, school-based service-learning pro-
5 grams, including—

6 “(A) providing preservice and in-service
7 training for teachers, supervisors, personnel
8 from community-based agencies (particularly
9 with regard to the utilization of young volun-
10 teers), and trainers, in which service-learning
11 activities will be conducted by qualified individ-
12 uals or organizations that have experience in
13 service-learning programs;

14 “(B) developing service-learning curricula,
15 including age-appropriate learning components
16 for students to analyze and apply their service
17 experiences;

18 “(C) forming local partnerships to develop
19 school-based community service programs in
20 accordance with this subpart;

21 “(D) devising appropriate methods for re-
22 search and evaluation of the educational value
23 of youth service opportunities and the effect of
24 youth service programs on communities;

“(E) establishing effective outreach and dissemination to ensure the broadest possible involvement of nonprofit community-based agencies with demonstrated effectiveness in working with school-aged youth in their communities;

7 “(F) integrating service-learning into aca-
8 demic curricula; and

9 “(G) establishing State resource centers to
10 assist elementary or secondary schools, or com-
11 munities, that desire to establish service-learn-
12 ing programs;

“(2) implementing, operating, or expanding statewide, school-based service-learning programs, which may include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service learning coordinators, through State distribution of Federal funds made available under this subpart to projects and activities that—

20 “(A) may be carried out during any part
21 of the calendar year; and

22 “(B) shall be operated by local partner-
23 ships among—

24 “(i) local educational agencies; and

1 “(ii) one or more community partners
2 that—

3 “(I) shall include a public or pri-
4 vate nonprofit organization that will
5 make service opportunities available
6 for participants; and

7 “(II) may include a private for-
8 profit business organization or private
9 elementary or secondary school;

10 “(3) planning of service-learning programs
11 through State distribution of Federal funds made
12 available under this subpart to local educational
13 agencies or elementary or secondary schools, which
14 planning may include paying for the cost of—

15 “(A) the salaries and benefits of service-
16 learning coordinators; or

17 “(B) the recruitment, training, supervision,
18 and placement of service-learning coordinators
19 who are participants in a program under sub-
20 title C or receive a post-service educational ben-
21 efit under subtitle D,

22 who will identify the community partners described
23 in paragraph (2)(B)(ii) and assist in the design and
24 implementation of a program described in paragraph
25 (2); and

1 “(4) implementing, operating, or expanding
2 programs involving adult volunteers in schools, or
3 partnerships of schools and public or private organi-
4 zations, to utilize service-learning to improve the
5 education of at-risk students, school dropouts, and
6 out-of-school youth through State distribution of
7 Federal funds made available under this part to
8 projects and activities coordinated and operated by
9 local partnerships among—

10 “(A) local educational agencies; and

11 “(B) one or more public or private non-
12 profit organizations or private for-profit busi-
13 nesses.

14 “(b) DIRECT GRANTS.—In any fiscal year in which
15 a State does not participate in programs under this sub-
16 part, the Director may use the allotment of that State
17 under subsection (a) or (b)(2) of section 112 to make di-
18 rect grants for the purposes described in paragraph (2),
19 (3), or (4) of subsection (a) to local applicants in that
20 State who submit to the Director an application described
21 in section 114. The Director shall consider the criteria de-
22 scribed in section 115(b) in evaluating such local applica-
23 tions.

1 **"SEC. 112. GRANTS AND ALLOTMENTS.**

2 “(a) INDIAN TRIBES AND TERRITORIES.—Of the
3 amounts appropriated to carry out this subpart for any
4 fiscal year, the Director shall reserve not more than 1 per-
5 cent for payments to Indian tribes, the Virgin Islands,
6 Guam, American Samoa, the Commonwealth of the North-
7 ern Mariana Islands and Palau, until such time as the
8 Compact of Free Association is ratified, to be allotted in
9 accordance with their respective needs.

10 “(b) GRANTS AND ALLOTMENTS THROUGH
11 STATES.—The Director shall use the remainder of the
12 funds appropriated to carry out this subpart for any fiscal
13 year as follows:

14 “(1) GRANTS.—Except as provided in para-
15 graph (3), from [25 percent] of such funds, the Di-
16 rector may make grants to State educational agen-
17 cies on a competitive basis.

18 “(2) ALLOTMENTS.—

19 “(A) SCHOOL-AGED YOUTH.—Except as
20 provided in paragraph (3), from [37.5 percent]
21 of such funds, the Director shall allot to each
22 State an amount that bears the same ratio to
23 [37.5 percent] of such funds as the number of
24 school-aged youth in the State bears to the
25 total number of school-aged youth of all States.

1 “(B) ALLOCATION UNDER ELEMENTARY
2 AND SECONDARY EDUCATION ACT OF 1965.—
3 Except as provided in paragraph (3), from
4 **【37.5 percent】** of such funds, the Director
5 shall allot to each State an amount that bears
6 the same ratio to **【37.5 percent】** of such funds
7 as the allocation to the State for the previous
8 fiscal year under chapter 1 of title I of the Ele-
9 mentary and Secondary Education Act of 1965
10 bears to such allocations to all States.

11 “(3) MINIMUM AMOUNT.—No State shall re-
12 ceive, under paragraph (2), an allotment that is less
13 than the allotment such State received under this
14 subsection for fiscal year 1993. If the amount of
15 funds made available in a fiscal year to carry out
16 paragraph (2) is insufficient to make such allot-
17 ments, the Director shall make available sums from
18 the 25 percent described in paragraph (1) for such
19 fiscal year to make such allotments.

20 “(4) DEFINITION.—Notwithstanding section
21 101(26), for purposes of this subsection, the term
22 “State” means each of the several States, the Dis-
23 trict of Columbia, and the Commonwealth of Puerto
24 Rico.

1 “(c) REALLOTMENT.—The amount of the allotment
2 of any State for any fiscal year under this section that
3 the Director determines will not be required for that fiscal
4 year shall be available for realLOTment to such other States
5 as the Director may determine to be appropriate.

6 “(d) EXCEPTION.—Notwithstanding this section, if
7 less than \$20,000,000 is made available in any fiscal year
8 to carry out this subpart, the Director shall award grants
9 to States and Indian tribes on a competitive basis.

10 **“SEC. 113. STATE APPLICATION.**

11 “(a) SUBMISSION.—To be eligible to receive a grant
12 under section 112(b)(1) or an allotment under section
13 112(b)(2) under this subpart a State, acting through the
14 State educational agency, or an Indian tribe, shall prepare
15 and submit to the Director an application at such time
16 and in such manner as the Director may reasonably re-
17 quire.

18 “(b) CONTENTS.—An application required by this
19 section shall include a State plan containing—

20 “(1) a 3-year strategic plan for promoting serv-
21 ice-learning through the programs carried out using
22 such grant or allotment, which plan shall contain—

23 “(A) a description of the program goals to
24 be attained in promoting service-learning
25 through such programs;

“(B) a description of the resources and organization needed to achieve the goals of such programs within schools; and

“(C) a description of the manner in which—

“(i) the programs will promote involvement in service-learning activities within the State and within elementary schools and secondary schools;

“(ii) the State will evaluate the extent of community involvement in service-learning programs within schools;

“(iii) the programs and activities to be carried out by the State using such grant or allotment relate to the goals described in subparagraph (A);

“(iv) the State will evaluate the success of the programs and measure the extent to which the programs meet the goals described in subparagraph (A);

“(v) local applications relating to the programs will be ranked by the State according to the criteria described in section 115(b), and in a manner that ensures the

1 equitable treatment of local applications
2 submitted by—

3 “(I) partnerships including both
4 local educational agencies and commu-
5 nity-based agencies; or

6 “(II) partnerships located in
7 urban, rural, or tribal areas within
8 such State;

9 “(vi) the programs will be coordinated
10 with State education reform efforts, with
11 other service programs within the State,
12 and with other federally assisted education
13 programs, training programs, social service
14 programs, and other appropriate programs
15 that serve youth;

16 “(vii) cooperative efforts will be en-
17 couraged among the local educational
18 agencies, local government agencies, com-
19 munity-based agencies, businesses, and
20 State agencies, that will carry out such
21 programs to develop and provide service
22 opportunities, including those that involve
23 the participation of urban, suburban, and
24 rural youth working together;

1 “(viii) economically and educationally
2 disadvantaged youths, including individuals
3 with disabilities, youth with limited basic
4 skills or learning disabilities, youth in fos-
5 ter care who are becoming too old for fos-
6 ter care, youth of limited English pro-
7 ficiency, homeless youth and youth with
8 disabilities, will be assured of service op-
9 portunities in such programs;

10 “(ix) service-learning training and
11 technical assistance will be provided
12 through the programs to State education
13 agency employees, federally assisted edu-
14 cation specialists in the State, local edu-
15 cational agencies, and local grant recipi-
16 ents, by qualified and experienced individ-
17 uals employed by the State or through
18 grant or contract with experienced content
19 specialist and youth service resource orga-
20 nizations;

21 “(x) a service-learning network will be
22 established within the State, comprised of
23 expert teachers and administrators who
24 have implemented successful service-learn-
25 ing programs within the State;

1 “(xi) the State will educate personnel
2 of local educational agencies about the
3 availability of Federal funds under this
4 part, and raise the awareness of service-
5 learning among such personnel;

6 “(xii) non-Federal assistance will be
7 used to expand service opportunities for
8 students and out-of-school youth through
9 the programs; and

10 “(xiii) information and outreach serv-
11 ices will be disseminated and utilized to en-
12 sure the involvement of a broad range of
13 organizations, particularly community-
14 based agencies, in the programs;

15 “(2) assurances that the State will keep such
16 records and provide such information to the Director
17 with respect to the programs as may be required for
18 fiscal audits and program evaluation; and

19 “(3) such additional information as the Direc-
20 tor may reasonably require.

21 **“SEC. 114. LOCAL APPLICATIONS.**

22 “(a) IN GENERAL.—A partnership that desires to re-
23 ceive financial assistance for a program under this subpart
24 shall prepare and submit to the State Educational Agency
25 a proposal for the program that meets the requirements

1 of this section. Such proposal shall be submitted at such
2 time, in such manner, and containing such information as
3 the State Educational Agency may reasonably require.

4 “(b) REQUIREMENTS OF PROPOSAL.—A proposal
5 with respect to a program that is submitted under sub-
6 section (a) shall, at a minimum, contain—

7 “(1) information specifying the membership and
8 role of an established advisory committee, consisting
9 of representatives of community-based agencies in-
10 cluding service recipients, youth-serving agencies,
11 youth, parents, teachers, administrators, agencies
12 that serve older adults, school board members, labor,
13 and business, that will provide advice with respect to
14 the program;

15 “(2) a description of—

16 “(A) the goals of the program which shall
17 include goals that are quantifiable, measurable,
18 and demonstrate any benefits that flow from
19 the program to the participants and the com-
20 munity;

21 “(B) service opportunities to be provided
22 under the program that shall include evidence
23 that participants will make a sustained commit-
24 ment to the service project;

1 “(C) the manner in which participants in
2 the program were or will be involved in the de-
3 sign and operation of the program;

4 “(D) the qualifications, and responsibilities
5 of the coordinator of the program assisted
6 under this subpart;

7 “(E) preservice and in-service training for
8 supervisors, teachers, and participants in the
9 program;

10 “(F) the manner in which exemplary serv-
11 ice will be recognized under the program; and

12 “(G) any potential resources that will per-
13 mit continuation of the program, if needed,
14 after the assistance received under this subpart
15 has ended;

16 “(3) information that shall include—

17 “(A) a disclosure of whether or not the
18 participants will receive academic credit for par-
19 ticipation in the program;

20 “(B) the target levels of participants in the
21 program and the target levels for the hours of
22 service that such participants will provide indi-
23 vidually and as a group;

24 “(C) the proportion of expected partici-
25 pants in the program who are educationally or

1 economically disadvantaged, including partici-
2 pants with disabilities;

3 “(D) the ages or grade levels of expected
4 participants in the program;

5 “(E) other relevant demographic informa-
6 tion concerning such expected participants; and

7 “(F) the role of adult volunteers and of the
8 members of the local partnership described in
9 section 111 in implementing the program, and
10 the manner in which such volunteers and mem-
11 bers will be recruited;

12 “(4) a written agreement, between the members
13 of the local partnership, stating that the program
14 was jointly developed by the parties and that the
15 program will be jointly executed by the parties; and

16 “(5) assurances that—

17 “(A) prior to the placement of a partici-
18 pant, the program will consult with any local
19 labor organization representing employees in
20 the area who are engaged in the same or simi-
21 lar work as that proposed to be carried out by
22 such program; and

23 “(B) the applicant will develop an age-ap-
24 propriate learning component for participants
25 in the program that shall include a chance for

1 participants to reflect on service experiences
2 and expected learning outcomes.

3 **“SEC. 115. CONSIDERATION OF APPLICATIONS.**

4 “(a) CORPORATION CRITERIA FOR APPLICATIONS.—
5 In providing assistance under this subpart, the Director
6 shall give priority to States and Indian tribes who submit
7 applications under section 113 that meet such criteria
8 with respect to sustainability, replicability, innovation, and
9 quality of programs of the Director may by regulation
10 specify.

11 “(b) PRIORITY FOR LOCAL APPLICATIONS.—In pro-
12 viding assistance under this subpart, the State educational
13 agency, or the Director if section 111(b) applies, shall give
14 priority to entities who submit applications under section
15 114 that describe programs that—

16 “(1) involve participants in the design and op-
17 eration of the program;

18 “(2) are in the greatest need of assistance, such
19 as programs targeting low-income areas;

20 “(3) involve students from both public and pri-
21 vate elementary and secondary schools or individuals
22 of different ages, races, sexes, ethnic groups, disabil-
23 ities and economic backgrounds serving together; or

24 “(4) are integrated into the academic program.

25 “(c) REJECTION OF APPLICATIONS.—

1 “(1) NOTIFICATION OF APPLICANTS.—If the
2 Director rejects an application submitted by a State
3 or Indian tribe under section 113, the Director shall
4 promptly notify the State or Indian tribe of the rea-
5 sons for the rejection of the application. The Direc-
6 tor shall provide the State or Indian tribe with a
7 reasonable opportunity to revise and resubmit the
8 application and shall provide technical assistance, if
9 needed, to the State or Indian tribe as part of the
10 resubmission process. The Director shall promptly
11 reconsider such resubmitted application.

12 “(2) OTHER APPLICANTS.—The Director is not
13 required to provide notice to applicants other than
14 States and Indian tribes of the failure of the Direc-
15 tor to approve an application under section 114 for
16 assistance.

17 **“SEC. 115A. PARTICIPATION OF CHILDREN AND TEACHERS**
18 **FROM PRIVATE SCHOOLS.**

19 “(a) IN GENERAL.—To the extent consistent with the
20 number of children in the State or in the school district
21 of the local educational agency involved who are enrolled
22 in private nonprofit elementary and secondary schools,
23 such State or agency shall (after consultation with appro-
24 priate private school representatives) make provision—

1 “(1) for the inclusion of services and arrange-
2 ments for the benefit of such children so as to as-
3 sure the equitable participation of such children in
4 the programs or projects implemented to carry out
5 the purposes and provide the benefits described in
6 this subpart; and

7 “(2) for the training of the teachers of such
8 children so as to assure the equitable participation
9 of such teachers in the programs or projects imple-
10 mented to carry out the purposes and provide the
11 benefits described in this subpart.

12 “(b) WAIVER.—If a State or local educational agency
13 or institution of higher education is prohibited by law from
14 providing for the participation of children or teachers from
15 private nonprofit schools as required by subsection (a), or
16 if the Director determines that a State or local educational
17 agency substantially fails or is unwilling to provide for
18 such participation on an equitable basis, the Director shall
19 waive such requirements and shall arrange for the provi-
20 sion of services to such children and teachers. Such waiv-
21 ers shall be subject to consultation, withholding, notice,
22 and judicial review requirements in accordance with sec-
23 tion 1017 of the Elementary and Secondary Education
24 Act of 1965.

1 **"SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

2 “(a) SHARE.—

3 “(1) IN GENERAL.—The Federal share attrib-
4 utable to this subpart of the cost of carrying out a
5 project for which a grant or allotment is made under
6 this subpart may not exceed—

7 “(A) 90 percent of the total cost of the
8 project for the first year for which the project
9 receives assistance under this subpart;

10 “(B) 80 percent of the total cost of the
11 project for the second year for which the project
12 receives assistance under this subpart;

13 “(C) 70 percent of the total cost of the
14 project for the third year for which the project
15 receives assistance under this subpart; and

16 “(D) 50 percent of the total cost of the
17 project for the fourth year, and for any subse-
18 quent year, for which the project receives assist-
19 ance under this subpart.

20 “(2) CALCULATION.—In providing for the re-
21 maining share of the cost of carrying out such a
22 project, each recipient of assistance under this
23 subpart—

24 “(A) shall provide for such share through
25 a payment in cash or in kind, fairly evaluated,
26 including facilities, equipment, or services; and

1 “(B) may provide for such share through
2 State sources, local sources, or Federal sources
3 (other than funds made available under this
4 Act).

5 “(b) WAIVER.—The Director may waive the require-
6 ments of subsection (a) with respect to any project in any
7 fiscal year if the Director determines that such a waiver
8 would be equitable due to a lack of available financial re-
9 sources at the local level.

10 **“SEC. 117. USES OF FUNDS; LIMITATIONS.**

11 “(a) STATE USES OF FUNDS.—The State edu-
12 cational agency may reserve, from funds made available
13 to such agency under this subpart—

14 “(1) not more than 5 percent of such funds for
15 administrative costs for any fiscal year; and

16 “(2) not less than 10 percent and not more
17 than 15 percent of such funds to build capacity
18 through training, technical assistance, curriculum
19 development, and coordination activities, described
20 in section 111(a)(1).

21 “(b) AUTHORIZED ACTIVITIES FOR LOCAL
22 PROJECTS.—

23 “(1) IN GENERAL.—Local projects may use
24 funds made available under this subpart for the sal-
25 aries and benefits of service-learning coordinators,

1 the supervision of participating students, program
2 administration, training, reasonable transportation
3 costs, insurance, evaluations, and for other reason-
4 able expenses.

5 “(2) LIMITATION.—Funds made available
6 under this subpart may not be used to pay any sti-
7 pend, allowance, or other financial support to any el-
8 ementary or secondary school student who is a par-
9 ticipant under this subtitle, except reimbursement
10 for transportation, meals, and other reasonable out-
11 of-pocket expenses directly related to participation in
12 a program assisted under this subpart.

13 **“Subpart C—Community-Based Service Programs for**
14 **School-Aged Youth**

15 **“SEC. 117E. GENERAL AUTHORITY.**

16 “(a) GRANTS.—From the funds appropriated to
17 carry out this subpart for a fiscal year, the Director may
18 make grants to State Commissions and public or private
19 nonprofit organizations to pay for the Federal share of
20 the implementation, operation, expansion, or replication of
21 community-based service programs through distribution of
22 such funds, by the Commissions or organizations, to
23 projects and activities operated by eligible entities.

24 “(b) USE OF FUNDS.—An entity may use a grant
25 made under subsection (a)—

1 “(1) to implement, operate, expand, or replicate
2 a program that provides service-learning opportuni-
3 ties involving meaningful human, educational, envi-
4 ronmental, or public safety service by school-aged
5 youth;

6 “(2) to make grants to eligible entities to imple-
7 ment, operate, expand, or replicate such a program;
8 or

9 “(3) to provide training and technical assist-
10 ance to such entities.

11 **“SEC. 117F. STATE APPLICATIONS.**

12 “To be eligible to receive a grant under this subpart,
13 a State Commission shall prepare and submit to the Direc-
14 tor an application that includes a State plan that contains
15 the descriptions and proposals described in section 117G
16 with respect to each community-based service program
17 proposed to be carried out by the State Commission under
18 this subpart.

19 **“SEC. 117G. LOCAL APPLICATIONS.**

20 “(a) PUBLIC OR PRIVATE NONPROFIT ORGANIZA-
21 TION.—To be eligible to receive a grant under this sub-
22 part, a public or private nonprofit organization shall pre-
23 pare and submit to the Director an application that meets
24 the requirements of this section, and that proposes a com-
25 munity-based service program to be carried out at multiple

1 sites or through grants made to eligible entities, or that
2 proposes an innovative community-based services pro-
3 gram. Such application shall be submitted at such time
4 and in such manner as the Director may reasonably re-
5 quire.

6 “(b) IN GENERAL.—To be eligible to receive funding
7 distributed by a State Commission under this subpart, an
8 eligible entity under this subpart shall prepare and submit
9 to the State Commission an application that meets the re-
10 quirements of this section. Such application shall be sub-
11 mitted at such time and in such manner as the State Com-
12 mission may reasonably require.

13 “(c) REQUIREMENTS OF APPLICATION.—An applica-
14 tion submitted under subsection (a) or (b) shall contain—

15 “(1) a description of all community-based serv-
16 ice programs proposed to be implemented, operated,
17 expanded, or replicated directly by the applicant
18 using assistance provided under this subpart;

19 “(2) a description of any grant program pro-
20 posed to be conducted by the applicant with assist-
21 ance provided under this subpart to support other
22 community-based service programs;

23 “(3) a proposal for carrying out the commu-
24 nity-based service programs that describes the man-
25 ner in which the eligible entity will—

1 “(A) provide preservice and in-service
2 training for supervisors and participants that
3 will be conducted by qualified individuals or or-
4 ganizations that have experience in community-
5 based service programs;

6 “(B) include economically disadvantaged
7 individuals as participants in the programs;

8 “(C) provide an age-appropriate service-
9 learning component for participants in the pro-
10 grams that shall include a chance for partici-
11 pants to reflect on service experiences and ex-
12 pected learning outcomes;

13 “(D) conduct an appropriate evaluation of
14 the programs;

15 “(E) provide for appropriate community
16 involvement in the programs;

17 “(F) provide service experiences that pro-
18 mote youth leadership abilities among partici-
19 pants in the programs including, involving such
20 participants in program design;

21 “(G) involve participants in projects ap-
22 proved by community-based agencies;

23 “(H) establish and measure progress to-
24 ward program goals; and

1 “(I) organize youth who are participants in
2 the programs into teams, with team leaders who
3 may be participants in a program under subtitle
4 C or individuals who receive a post-service edu-
5 cational benefit under subtitle D; and

6 “(4) such other information as the State Com-
7 mission or the Director, as appropriate, may reason-
8 ably require.

9 “(c) ELIGIBLE ENTITIES.—Entities that are public
10 or private nonprofit organizations with experience working
11 with school-aged youth shall be eligible to receive financial
12 assistance under this subpart.

13 **“SEC. 117H. CONSIDERATION OF APPLICATIONS.**

14 “(a) APPLICATION OF CRITERIA.—The Director shall
15 apply the criteria described in subsection (b) in determin-
16 ing whether to approve an application submitted under
17 section 117F or 177G(b) and to provide assistance under
18 section 117E to the applicant on the basis of the applica-
19 tion.

20 “(b) ASSISTANCE CRITERIA.—The Director shall
21 consider, in evaluating such applications—

22 “(1) in the case of an application submitted by
23 a State Commission, the quality of the State plan
24 for the State required under section 117F;

1 “(2) the quality of the community-based service
2 programs to be conducted directly or supported by
3 the applicant, based on the extent to which the
4 programs—

5 “(A) offer valuable services in those
6 communities—

7 “(i) where such services are needed
8 most, such as communities designated as
9 enterprise zones or redevelopment areas or
10 otherwise targeted for special economic in-
11 centives; and

12 “(ii) where community-based service
13 programs do not currently exist or are cur-
14 rently too limited to meet community
15 needs;

16 “(B) provide participants with productive,
17 meaningful, and educational experiences that
18 incorporate service-learning methods;

19 “(C) involve the participants, including
20 youth, in the design, operation, and leadership
21 of the program;

22 “(D) involve individuals from diverse back-
23 grounds (including economically disadvantaged
24 youth) to the maximum extent practicable; and

1 “(E) develop the leadership skills of par-
2 ticipants;

3 “(3) the quality of the leadership and manage-
4 ment of the community-based service programs to be
5 conducted directly or supported by the applicant, as
6 measured by—

7 “(A) the qualifications of the principal
8 leaders of the programs; and

9 “(B) the plans and processes for recruit-
10 ment, training, supervision, participant support,
11 evaluation, administration and other key activi-
12 ties;

13 “(4) any innovative aspects of the proposed
14 community-based service programs, such as—

15 “(A) the ability of the programs to ad-
16 vance knowledge about effective community
17 service in ways that will be broadly applicable
18 beyond the program location; and

19 “(B) the approach to evaluation and other
20 means of learning from the experience of the
21 programs;

22 “(5) the replicability of the proposed commu-
23 nity-based service programs, based on the ability and
24 willingness of the programs to assist other persons

1 in learning from the experience and replicating the
2 approach of the programs; and

3 “(6) the sustainability of the proposed pro-
4 grams based on—

5 “(A) the existence of strong and broad-
6 based community support for and involvement
7 in the programs; and

8 “(B) evidence that financial resources,
9 such as funds from multiple funding sources or
10 private funding sources, will be available to con-
11 tinue the program after the expiration of the
12 period of assistance provided under section 112.

13 “(c) APPLICATION TO SECONDARY GRANTS.—A
14 State Commission or other applicant that conducts a
15 grant program with assistance provided under section
16 117E shall use the criteria described in subsection (b)
17 whenever considering applications submitted by eligible
18 entities to receive a portion of such assistance.

19 **“SEC. 117I. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

20 “(a) FEDERAL SHARE.—

21 “(1) IN GENERAL.—The Federal share attrib-
22 utable to this subpart of the cost of carrying out a
23 project for which a grant or allotment is made under
24 this subpart may not exceed the percentage specified

1 in subparagraph (A), (B), (C), or (D) of section
2 116(a)(1), as appropriate.

3 “(2) CALCULATION.—Each recipient of assist-
4 ance under this subpart shall comply with section
5 116(a)(2).

6 “(b) WAIVER.—The Director may waive the require-
7 ments of subsection (a) as provided in section 116(b).

8 **“SEC. 117J. USES OF FUNDS; LIMITATIONS.**

9 “A State Commission or organization that receive a
10 grant under this subpart may reserve, from funds made
11 available to such Commission or organization under this
12 subpart, not more than 5 percent of such funds for admin-
13 istrative costs for any fiscal year.

14 **“Subpart D—Clearinghouse**

15 **“SEC. 117N. SERVICE-LEARNING CLEARINGHOUSE.**

16 “(a) IN GENERAL.—The Corporation shall provide
17 assistance, from funds appropriated to carry out subtitle
18 G, to appropriate entities to establish a regional service
19 clearinghouse, which shall carry out clearinghouse activi-
20 ties with respect to information about service-learning and
21 service-learning programs.

22 “(b) PUBLIC AND PRIVATE NONPROFIT AGENCIES.—
23 Public and private nonprofit agencies that have extensive
24 experience with service-learning, including use of adult vol-

1 unteers to foster service-learning, shall be eligible to re-
2 ceive assistance under subsection (a).

3 “(c) FUNCTION OF CLEARINGHOUSE.—An entity
4 that receives assistance under subsection (a) shall—

5 “(1) assist State and local service-learning pro-
6 grams with needs assessments and planning;

7 “(2) conduct research and evaluations concern-
8 ing service-learning;

9 “(3)(A) provide leadership development and
10 training to State and local service-learning program
11 administrators, supervisors, and participants; and

12 “(B) provide training to persons who can pro-
13 vide the leadership development and training de-
14 scribed in subparagraph (A);

15 “(4) administer award and recognition pro-
16 grams for outstanding service-learning programs and
17 participants;

18 “(5) facilitate communication among service-
19 learning programs and participants;

20 “(6) provide information, curriculum materials,
21 technical assistance on program planning and oper-
22 ation, and training, with respect to service-learning,
23 to States and local entities eligible to receive funds
24 under this title;

1 “(7) gather and disseminate information on
2 successful service-learning programs, components of
3 such successful programs, innovative youth skills
4 curricula related to service-learning, and service-
5 learning projects being implemented nationwide;

6 “(8) make recommendations to State and local
7 entities on quality controls to improve service-learn-
8 ing program delivery and on changes in service-
9 learning programs; and

10 “(9) recruit, screen, and place service-learning
11 coordinators.

12 **“PART II—HIGHER EDUCATION INNOVATIVE**

13 **PROJECTS FOR COMMUNITY SERVICE**

14 **“SEC. 118. HIGHER EDUCATION INNOVATIVE PROJECTS**
15 **FOR COMMUNITY SERVICE.**

16 “(a) PURPOSE.—It is the purpose of this part to ex-
17 pand participation in community service by supporting in-
18 novative projects carried out through institutions of higher
19 education, acting as civic institutions significantly involved
20 in improving the health and wellbeing of the communities
21 in which the institutions are located.

22 “(b) GENERAL AUTHORITY.—The Director, in con-
23 sultation with the Secretary of Education, is authorized
24 to make grants to, and enter into contracts with, institu-
25 tions of higher education (including a combination of such

1 institutions) and other public agencies and nonprofit orga-
2 nizations working in partnership with institutions of high-
3 er education—

4 “(1) to enable the institution to create or ex-
5 pand organized community service programs for stu-
6 dents, faculty, administration, and staff of the insti-
7 tution, and for residents of the community in which
8 the institution is located, including clinical programs
9 for students in professional schools;

10 “(2) to support student-initiated and student-
11 designed community service projects;

12 “(3) to facilitate the integration of community
13 service into academic curricula, so that students can
14 obtain credit for their community service activities;

15 “(4) to enable students to participate in com-
16 munity service programs that will engender a sense
17 of social responsibility and commitment to the com-
18 munity, and supplement the work-study funds avail-
19 able under part C of title IV of the Higher Edu-
20 cation Act of 1965 to support service-learning and
21 community service;

22 “(5) to strengthen the service infrastructure
23 within institutions of higher education in the United
24 States; and

1 “(6) to provide for the training of teachers, pro-
2 spective teachers, related education personnel, and
3 community leaders in the skills necessary to develop,
4 supervise, and organize service-learning, taking into
5 consideration the particular needs of a community
6 and the ability of the grantee to actively involve a
7 major part of the community in, and substantially
8 benefit the community by, the proposed community
9 service activities.

10 “(c) FEDERAL SHARE.—

11 “(1) IN GENERAL.—The Federal share of each
12 grant or contract awarded under this section shall
13 not exceed 50 percent of the cost of the community
14 service activities carried out with each such grant or
15 contract.

16 “(2) NON-FEDERAL SOURCES.—That portion of
17 the costs of programs that receive assistance under
18 this part that are to be paid from sources other than
19 Federal funds may be paid in cash or in kind (fairly
20 evaluated).

21 “(d) APPLICATION FOR GRANT.—To receive a grant
22 or enter into a contract under this part, an applicant shall
23 prepare and submit to the Director, an application at such
24 time, in such manner, and containing such information as
25 the Director may reasonably require, including—

1 “(1) a description of the proposed program to
2 be established with assistance provided under the
3 grant;

4 “(2) except in the case of training programs, a
5 description of the human, educational, environmental
6 or public safety service that participants will per-
7 form and the community need that will be addressed
8 under such program;

9 “(3) a description of whether or not students
10 will receive academic credit for community service
11 activities under the program;

12 “(4) a description of the procedure for training
13 supervisors and participants and for supervising and
14 organizing participants in such proposed program;

15 “(5) a description of the procedures to ensure
16 that the proposed program provides participants
17 with an opportunity to reflect on their service experi-
18 ences;

19 “(6) a description of the budget for the pro-
20 gram; and

21 “(7) assurances that, prior to the placement of
22 a participant, the applicant will consult with any
23 local labor organization representing employees in
24 the area who are engaged in the same or similar

1 work as that proposed to be carried out by such pro-
2 gram.

3 “(e) PRIORITY.—In making grants and entering into
4 contracts under subsection (b), the Director shall give pri-
5 ority to applicants that submit applications containing
6 proposals that—

7 “(1) demonstrate the commitment of the insti-
8 tution of higher education, other than by dem-
9 onstrating the commitment of the students, to sup-
10 porting community service activities;

11 “(2) specify the manner in which the institution
12 will promote faculty and administration participation
13 in community service activities;

14 “(3) specify the manner in which the institution
15 will provide service to the community through orga-
16 nized programs, including, where appropriate, clini-
17 cal programs for students in professional schools;

18 “(4) describe the partnership that will partici-
19 pate in the community service activities, which part-
20 nership shall be comprised of—

21 “(A) the institution;

22 “(B)(i) a community-based agency;

23 “(ii) a local government agency; or

24 “(iii) a nonprofit entity that serves or in-
25 volves youth; or

1 “(C) a student organization;

2 “(5) demonstrate community involvement in the
3 development of the proposal;

4 “(6) specify that the institution will use assist-
5 ance made available through the grant or contract to
6 provide preservice or in-service training to teachers
7 with respect to service-learning programs;

8 “(7) specify that the institution will use such
9 assistance to strengthen the service infrastructure in
10 institutions of higher education; or

11 “(8) with respect to projects involving delivery
12 of service, specify projects that involve youth leader-
13 ship development.

14 “(f) POST-SERVICE EDUCATIONAL BENEFIT.—A
15 participant in a program funded under this part shall be
16 eligible for the post-service educational benefit described
17 in subtitle D, if the participant served in an approved na-
18 tional service position under section 137.”.

19 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
20 tional and Community Service Act of 1990 (42 U.S.C.
21 12401 note) is amended by striking the items relating to
22 subtitle B of title I of such Act and inserting the following:

 “Subtitle B—Programs for Students and Out-of-School Youth

 “PART I—SERVE-AMERICA

 “SUBPART A—GENERAL PROVISIONS

 “Sec. 110. Short title.

 “Sec. 110A. Purposes.

- "Sec. 110B. Definition.
- "Sec. 110C. Availability of appropriations.

"SUBPART B—GRANTS AND ALLOTMENTS THROUGH STATES

- "Sec. 111. General authority.
- "Sec. 112. Grants and allotments.
- "Sec. 113. State application.
- "Sec. 114. Local applications.
- "Sec. 115. Consideration of applications.
- "Sec. 115A. Participation of children and teachers from private schools.
- "Sec. 116. Federal, State, and local contributions.
- "Sec. 117. Uses of funds; limitations.

"SUBPART C—COMMUNITY-BASED SERVICE PROGRAMS FOR SCHOOL-AGED YOUTH

- "Sec. 117E. General authority.
- "Sec. 117F. State applications.
- "Sec. 117G. Local applications.
- "Sec. 117H. Consideration of applications.
- "Sec. 117I. Federal, State, and local contributions.
- "Sec. 117J. Uses of funds; limitations.

"SUBPART D—CLEARINGHOUSE

- "Sec. 117N. Service-learning clearinghouse.

"PART II—HIGHER EDUCATION INNOVATIVE PROJECTS FOR COMMUNITY SERVICE

- "Sec. 118. Higher education innovative projects for community service.

1 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

2 **【To be supplied.】**

3 **SEC. 103. FEDERAL INVESTMENT IN ~~SUPPORT OF~~ NA-**
4 **TIONAL SERVICE.**

5 (a) ASSISTANCE PROGRAM AUTHORIZED.—Subtitle C
6 of title I of the National and Community Service Act of
7 1990 (42 U.S.C. 12541 et seq.) is amended to read as
8 follows:

1 **"Subtitle C—National Service**
2 ~~**Program**~~ **Initiative**

3 **"PART I—INVESTMENT IN NATIONAL SERVICE**
4 **PROGRAMS**

5 **"SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE TO NA-**
6 **TIONAL SERVICE PROGRAMS.**

7 “(a) GRANTS.—The Corporation may make grants to
8 States, subdivisions of States, Indian tribes, public and
9 private nonprofit organizations, and institutions of higher
10 education for the planning, establishment, operation, ex-
11 pansion, and replication of full- and part-time national
12 service programs. (1)

13 “(b) TRANSFERS.—The Corporation may also trans-
14 fer funds to the heads of Federal agencies to support na-
15 tional service programs conducted by these agencies. In
16 the case of a transfer of funds under this subsection, the
17 supplementation requirements specified in section 173
18 shall apply with respect to the Federal national service
19 programs supported by such funds.

20 **"SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS TO BE**
21 **ASSISTED.**

22 “(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—A
23 State, subdivision of a State, Indian tribe, public or pri-
24 vate nonprofit organization, institution of higher edu-
25 cation, or Federal agency that receives assistance under

(2) Transfers
only as
"last resort",
once an agency
has attempted
to support
and its own
funding

1 section 121 shall use the assistance to plan, establish, op-
2 erate, expand, or replicate full- and part-time national
3 service programs that address unmet human, educational,
4 environmental, and public safety needs, especially those
5 needs relating to poverty. Such programs shall include the
6 following:

7 ~~(3)~~² ~~(1)~~ A youth corps program, such as a con-
8 servation corps, ^{or} youth service corps program, or na-
9 tional service program that performs service on pub-
10 lic lands or Indian lands, that—

11 ^{meets unmet community need}
12 “(A) offers full-time, productive work with
13 visible community benefits in a natural resource
14 or human service setting; and

15 “(B) gives out-of-school youth a mix of
16 work experience, basic and life skills, leadership
17 training, education using service-learning meth-
18 ods (including education to enable school drop-
19 outs to earn a high school diploma or its equiv-
20 alent), career guidance and counseling, employ-
21 ment training, and support services.

22 (4) ~~(2)~~ A program that trains and places service-
23 learning coordinators who, after receiving specialized
24 training in service-learning, are placed in programs
25 eligible for funding under part I of subtitle B and
are responsible for coordinating service-learning ac-

Do we want
this one
first?

// off-message.

1 activities, recruiting and assisting community organi-
2 zations where services take place, providing training
3 and technical assistance to teachers in using service-
4 learning methods, and other similar activities.

5 ~~(3)~~ ^{targeted at specific w-n needs} A specialized service program that—

6 3 “(A) recruits individuals with special skills
7 or provides specialized preservice training to en-
8 able participants to be placed individually or in
9 teams in positions in which the participants can
10 meet clearly defined community needs; and

11 “(B) brings participants together for addi-
12 tional training and other activities designed to
13 foster a national service ethic and improve the ^{provide unique participants v/added skills}
14 quality of the service provided.

15 (1) ~~(4)~~ A community corps program that orga-
16 nizes teams of participants of ^{valued} diverse social and eco-
17 nomic backgrounds and different ages, races, and ^{disabilities}
18 genders to provide needed community services while
19 promoting greater community unity.

20 “(5) An individualized placement program that
21 includes regular group activities, such as leadership
22 training, team-building, problem-solving, and special
23 service projects.

24 “(6) A campus-based program that is designed
25 to engage students who are attending an institution

1 of higher education (including students supported by
2 work-study funds), or teams of such students and
3 community members, in substantial service in the
4 community during the school year and during sum-
5 mer or other vacation periods.

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

9 “(A) receive training in specified fields,
10 *including professional fields*
11 which may include taking classes containing
12 service-learning;

13 “(B) perform national service related to
14 such training outside the classroom during
15 summer or other vacation periods; and

16 “(C) agree to provide service related to
17 such training in an underserved community
18 upon graduation.

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

21 “(A) as teachers, nurses, police officers,
22 early childhood development staff, or other pro-
23 fessionals providing educational, human service,
24 environmental, or public safety service in pro-
fessionally-underserved communities; and

1 “(B) that are sponsored by public or pri-
2 vate nonprofit employers who pay 100 percent
3 of the salaries and benefits of the participants.

4 “(9) A Youthbuild program that provides eco-
5 nomically disadvantaged young adults aged 16 to 24
6 with opportunities for meaningful service to their
7 communities in helping to meet the housing needs of
8 low-income families and the homeless and the need
9 for community facilities in low-income areas, while
10 enabling such young adults to obtain the education
11 and employment skills necessary to achieve economic
12 self-sufficiency.

should ant.

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

17 “(b) NATIONAL SERVICE PRIORITIES.—

18 “(1) ESTABLISHMENT BY CORPORATION.—In
19 order to concentrate national efforts on resolving
20 certain unmet human, educational, environmental, or
21 public safety needs during a particular fiscal year,
22 the Corporation may establish priorities regarding
23 the types of national service programs to be assisted
24 under section 121 in that fiscal year and the pur-
25 poses for which such assistance may be used in that

or subsequent ones

1 ⁵⁶
 or subsequent
2 fiscal year. The Corporation shall provide advance
3 notice to potential applicants of any such priorities
4 to be in effect for a fiscal year.

allow set-aside
of some
funds?

4 “(2) APPLICATION TO SUBGRANTS.—Any na-
5 tional service priorities established by the Corpora-
6 tion under this subsection shall also apply to any
7 grant program carried out by an applicant using as-
8 sistance provided under section 121.

allow
designated
pre/post
mix?

9 **“SEC. 123. PROVISION OF ASSISTANCE BY COMPETITIVE**
10 **AND OTHER MEANS.**

allow
pledge + contract
across programs?

11 “(a) 30 PERCENT ALLOTMENT FOR CERTAIN
12 STATES.—Of the funds appropriated to carry out this part
13 for a fiscal year, the Corporation shall make a grant under
14 section 121 to each of the several States, the District of
15 Columbia, and the Commonwealth of Puerto Rico. The
16 amount allotted as a grant to each such State under this
17 subsection for a fiscal year shall be equal to the amount
18 that bears the same ratio to 30 percent of the funds ap-
19 propriated to carry out this part for that fiscal year as
20 the population of the State bears to the total population
21 of the several States, the District of Columbia, and the
22 Commonwealth of Puerto Rico.

25

23 “(b) ONE PERCENT ALLOTMENT FOR CERTAIN
24 OTHER STATES AND INDIAN TRIBES.—Of the funds ap-
25 propriated to carry out this part for a fiscal year, the Cor-

1 poration shall reserve one percent of such appropriated
2 funds for grants under section 121 to Indian tribes, the
3 Virgin Islands, Guam, American Samoa, the Common-
4 wealth of the Northern Mariana Islands and Palau, until
5 such time as the Compact of Free Association is ratified,
6 to be allotted in accordance with their respective needs.

7 “(c) COMPETITIVE DISTRIBUTION OF REMAINING
8 FUNDS.—

9 “(1) STATE COMPETITION.—Of the funds ap-
10 propriated to carry out this part for a fiscal year,
11 the Corporation shall use not less than 20 percent
12 of such appropriated funds to make grants to States
13 on a competitive basis under section 121.

14 “(2) OTHER APPLICANTS.—The Corporation
15 shall distribute the remainder of the funds appro-
16 priated to carry out this part for a fiscal year on a
17 competitive basis under section 121 to subdivisions
18 of States, Indian tribes, public and private nonprofit
19 organizations, institutions of higher education, and
20 Federal agencies. The Corporation shall ensure that
21 recipients of assistance under this paragraph are
22 geographically diverse and that national service op-
23 portunities are provided in both urban and rural
24 areas.

1 “(3) PRIORITIES.—In making assistance avail-
2 able under paragraph (2), the Corporation shall give
3 priority to applicants requesting assistance for—

4 “(A) national service programs that oper-
5 ate in more than one State and conform to the
6 national service priorities in effect under section
7 122(b) for that fiscal year;

8 “(B) innovative national service programs;

9 “(C) private national service programs that
10 are well established in one or more States at
11 the time of the application and show the poten-
12 tial of expanding to additional States; and

13 “(D) such other national service programs
14 as the Corporation may designate for priority
15 consideration under criteria established by the
16 Corporation.

17 “(d) APPLICATION REQUIRED.—The allotment of as-
18 sistance to a State under subsection (a) or (b), and the
19 competitive distribution of assistance under subsection (c),
20 shall be made by the Corporation only pursuant to an ap-
21 plication submitted by a State or other applicant under
22 section 124 and approved by the Corporation under sec-
23 tion 127.

1 **"SEC. 124. APPLICATION FOR ASSISTANCE.**

2 “(a) SUBMISSION REQUIRED.—To be eligible to re-
3 ceive assistance under section 121, a State, subdivision of
4 a State, Indian tribe, public or private nonprofit organiza-
5 tion, institution of higher education, or Federal agency
6 shall prepare and submit to the Corporation an application
7 at such time and in such manner as the Commission may
8 reasonably require.

9 “(b) CONTENT OF APPLICATION.—An application re-
10 quired by this section shall contain the following:

11 “(1) A description of all national service pro-
12 grams proposed to be planned, established, operated,
13 expanded, or replicated directly by the applicant
14 using assistance provided under section 121.

15 “(2) A description of any grant program pro-
16 posed to be conducted by the applicant with assist-
17 ance provided under section 121 to support other
18 national service programs.

19 “(3) Measurable goals for the proposed national
20 service programs and any proposed grant program,
21 and a strategy to achieve such goals, in terms of—

22 “(A) the impact sought to be made in
23 meeting unmet human, educational, environ-
24 mental, or public safety needs; and

25 “(B) the service experience sought to be
26 provided to participants in the programs.

(C) other areas the Corp may reasonably
or specific indices require.

“(4) A description of the manner and extent to which the proposed national service programs and any proposed grant program conform to the national service priorities established by the Corporation under section 122(b).

6 “(5) A description of the past experience of the
7 applicant in operating a national service program or *compulsory*
8 in conducting a grant program in support of other *programs*
9 national service programs *or in related capacities*

“(6) A description of the type and number of national service positions that the applicant requests to be designated under section 137 as national service positions that include the post-service educational benefit described in subtitle D as a benefit to be provided for successful service in the position.

16 “(7) An estimate of the number of such ap-
17 proved national service positions that are likely to be
18 filled by individuals who will have already completed
19 the requirements for a baccalaureate degree before
20 beginning to serve in the positions.

21 “(8) A description of the uses to be made of
22 any approved national service positions provided to
23 the applicant in relation to the purposes for which
24 any assistance provided under section 121 will be
25 used.

1 “(9) The guarantees and information required
2 by sections 125, 126, and 131.

3 “(10) Such other information as the Commis-
4 sion may reasonably require.

5 “(c) SPECIAL RULE FOR STATE APPLICANTS.—The
6 application of a State for a grant under section 121,
7 whether submitted to obtain the allotment of the State
8 under section 123(a) or a competitive grant, shall be sub-
9 mitted by the State Commission on National Service re-
10 quired to be established under section 178 and shall in-
11 clude the national service plan for the State required
12 under section 178A.

*in addition
to the info
already required
by this section*

13 **“SEC. 125. NATIONAL SERVICE PROGRAM REQUIREMENTS.**

14 “(a) IMPACT ON COMMUNITIES.—An application sub-
15 mitted to the Corporation under section 124 shall include
16 a guarantee by the applicant that any national service pro-
17 gram planned, established, operated, expanded, or rep-
18 licated using assistance provided to the applicant under
19 section 121 will involve participants in meaningful na-
20 tional service that—

*more than that,
no?*

21 “(1) is not otherwise being provided;

22 “(2) addresses unmet human, educational, envi-
23 ronmental, or public safety needs, especially those
24 needs relating to poverty;

1 “(3) will result in a public benefit, such as im-
2 proving the lives of those persons served by the pro-
3 gram; and

4 “(4) complies with the nonduplication and
5 nondisplacement requirements specified in sub-
6 sections (a) and (b) of section 177. **[See section**
7 **177 of existing National and Community**
8 **Service Act of 1990]**

9 “(b) IMPACT ON PARTICIPANTS.—An application
10 under section 124 shall also include a guarantee by the
11 applicant that any national service program planned, es-
12 tablished, operated, expanded, or replicated using assist-
13 ance provided to the applicant under section 121 will—

14 “(1) provide national service opportunities for
15 participants for the terms of service specified in sec-
16 tion 132;

17 “(2) provide participants with national service
18 that—

19 “(A) builds an ethic of civic responsibility
20 through training in citizenship and an ethic of
21 life-long national and community service;

22 “(B) produces a positive change in the
23 lives of participants; and

24 “(C) orients participants in the nature,
25 philosophy, and purpose of the program;

1 “(4) provide the training, skills, and knowledge
2 necessary for the type of national service that par-
3 ticipants are called upon to perform;

4 “(5) ~~contain a service-learning component and~~
5 provide participants with an opportunity to reflect
6 on their service experiences;

(a) add
service-learning
related

7 “(6) provide support services to participants,
8 including support for those participants who are
9 school dropouts in order to assist such participants
10 in earning the equivalent of a high school diploma;
11 and

12 “(7) involve participants in the design of the
13 program and provide leadership positions to partici-
14 pants in implementing and evaluating the program.

(8) include any
pledge or contract
that may be
specified by the
company

15 “(c) CONSULTATION.—An application under section
16 124 shall also include a guarantee by the applicant that
17 any national service program planned, established, oper-
18 ated, expanded, or replicated using assistance provided to
19 the applicant under section 121 will—

(9) provide
assistance in
the transition
out from NS to
life afterwards

20 “(1) provide in the design, recruitment, and op-
21 eration of the program for broad-based input from
22 the community served and community-based agen-
23 cies with a demonstrated record of experience in pro-
24 viding services; and

1 “(2) prior to the placement of participants, con-
2 sult with any local labor organization representing
3 employees in the area who are engaged in the same
4 or similar work as that proposed to be carried out
5 by such program

6 “(d) EVALUATION.—An application under section
7 124 shall also include a guarantee by the applicant that
8 the applicant will—

9 “(1) arrange for an independent evaluation of
10 any national service program planned, established,
11 operated, expanded, or replicated using assistance
12 provided to the applicant under section 121; and

13 “(2) develop performance goals and measures
14 to be used as part of such evaluation to determine
15 the impact of the program on communities and par-
16 ticipants and in such other areas as the Corporation
17 may require.

18 “(e) LIVING ALLOWANCES AND OTHER IN-SERVICE
19 BENEFITS.—Except as provided in section 133(b), an ap-
20 plication under section 124 shall also include a guarantee
21 by the applicant that the applicant will provide a living
22 allowance and other benefits specified in section 133 to
23 participants in any national service program planned, es-
24 tablished, operated, expanded, or replicated using assist-
25 ance provided to the applicant under section 121.

1 “(f) SPECIAL RULE FOR STATE APPLICANTS.—An
2 application submitted by a State under section 124 shall
3 also include a guarantee by the State that not less than
4 _____ percent of the assistance provided to the State
5 under section 121, whether such assistance is in the form
6 of an allotment to the State under section 123(a) or a
7 competitive grant, shall be used to make grants on a com-
8 petitive basis to support national service programs con-
9 ducted by persons other than State agencies.

10 “(g) SELECTION OF PARTICIPANTS FROM NATIONAL
11 REGISTRY.—The Corporation may also require a guaran-
12 tee by the applicant that any national service program
13 planned, established, operated, expanded, or replicated
14 using assistance provided to the applicant under section
15 121 will select a portion of the participants for the pro-
16 gram from among prospective participants registered with
17 the Corporation under section 139(b). The Corporation
18 (may) specify a minimum percentage of participants to be
19 selected from the national registry and may vary the per-
20 centage for different types of national service programs,
21 except that the Corporation may not require more than
22 _____ percent of the participants in a program to be se-
23 lected from the national registry.

1 **“SEC. 126. INELIGIBLE SERVICE CATEGORIES.**

2 “An application submitted to the Corporation under
3 section 124 shall include a guarantee by the applicant that
4 any national service program planned, established, oper-
5 ated, expanded, or replicated using assistance provided to
6 the applicant under section 121 will not use participants
7 to perform service that provides a direct benefit to any—

8 “(1) business organized for profit;

9 “(2) labor union;

10 “(3) partisan political organization; or

11 “(4) organization engaged in religious activities,
12 unless such service does not involve the use of assist-
13 ance provided under section 121 by program partici-
14 pants and program staff to give religious instruction,
15 conduct worship services, or engage in any form of
16 proselytization.

17 **“SEC. 127. CONSIDERATION OF APPLICATIONS.**

18 “(a) CONSIDERATION OF CERTAIN CRITERIA.—The
19 Corporation shall apply the criteria described in subsection
20 (b) in determining whether to approve an application sub-
21 mitted under section 124 and to provide assistance under
22 section 121 to the applicant on the basis of the applica-
23 tion.

24 “(b) ASSISTANCE CRITERIA.—The criteria required
25 to be applied by the Corporation in evaluating applications
26 submitted under section 124 are as follows:

1 “(1) In the case of an application submitted by
2 a State National Service Commission, the quality of
3 the national service plan for the State required
4 under section 178A.

5 “(2) The quality of the national service pro-
6 grams to be conducted directly or supported by the
7 applicant, based on the extent to which the
8 programs—

9 “(A) conform to any national service prior-
10 ities established by the Corporation under sec-
11 tion 122(b);

12 “(B) ^{will} ~~are likely to~~ meet unmet human, edu-
13 cational, environmental, or public safety needs
14 in communities—

15 “(i) where services are needed most,
16 such as communities designated as enter-
17 prise zones or redevelopment areas or oth-
18 erwise targeted for special economic incen-
19 tives and areas that are environmentally
20 distressed; and

21 “(ii) where national service programs
22 do not currently exist or are currently too
23 limited to meet community needs;

“(C) provide participants with productive, meaningful, and educational experiences that incorporate service-learning methods;

“(D) involve the participants, including youth, in the design, operation, and leadership of the program;

“(E) involve individuals from diverse backgrounds (including economically disadvantaged youth) to the maximum extent practicable; and

“(F) develop the leadership skills of participants. (G) + (H) to reflect

“(3) The past record of the applicant, ~~if any,~~ in operating a national service program or in conducting a grant program in support of other national service programs ^{or in related programming} and in meeting performance and other goals with respect to such programs.

“(4) The quality of the leadership and management of the national service programs to be conducted directly or supported by the applicant, as measured by—

“(A) the qualifications of the principal
leaders of the programs; and

“(B) the plans and processes for recruitment, training, supervision, participant support,

1 evaluation, administration and other key activi-
2 ties.

3 “(5) Any innovative aspects of the proposed na-
4 tional service programs, such as—

5 “(A) the ability of the programs to ad-
6 vance knowledge about effective community
7 service in ways that will be broadly applicable
8 beyond the program location; and

9 “(B) the approach to evaluation and other
10 means of learning from the experience of the
11 programs.

12 “(6) The replicability of the proposed national
13 service programs, based on the ability and willing-
14 ness of the programs to assist other persons in
15 learning from the experience and replicating the ap-
16 proach of the programs.

17 “(7) The sustainability of the proposed national
18 service programs, based on—

19 “(A) the inclusion of the programs in the
20 national service plan for a State prepared under
21 section 178A;

22 “(B) the existence of strong and broad-
23 based community support for and involvement
24 in the programs;

1 “(C) evidence of multiple funding sources
2 or private funding sources or evidence that fi-
3 nancial resources will be available to continue
4 the programs after the expiration of the period
5 of assistance provided under section 121; and

6 “(D) such other factors that the Corpora-
7 tion considers to be appropriate.

8 “(c) REJECTION OF STATE APPLICATIONS.—

9 “(1) NOTIFICATION OF STATE APPLICANTS.—If
10 the Corporation rejects an application submitted by
11 a State Commission on National Service under sec-
12 tion 124, the Corporation shall promptly notify the
13 State Commission of the reasons for the rejection of
14 the application.

*give possible
reasons
for rejection*

15 “(2) RESUBMISSION AND RECONSIDERATION.—
16 The Corporation shall provide a State Commission
17 notified under paragraph (1) with a reasonable op-
18 portunity to revise and resubmit the application and
19 shall provide technical assistance to the State Com-
20 mission, at the request of the State Commission, as
21 part of the resubmission process. The Corporation
22 shall promptly reconsider an application resubmitted
23 under this paragraph.

24 “(3) REALLOTMENT.—The amount of any
25 State's allotment under section 123(a) for a fiscal

1 year that the Corporation determines will not be
2 provided for that fiscal year shall be available for
3 distribution by the Corporation on a competitive
4 basis to other States and other applicants,

5 “(d) REJECTION OF OTHER APPLICATIONS.—The
6 Corporation is not required to provide notice to applicants
7 other than States of the failure of the Corporation to ap-
8 prove an application under section 124 for assistance.

9 “(e) APPLICATION TO SUBGRANTS.—A State or other
10 applicant that conducts a grant program with assistance
11 provided under section 121 shall use the criteria described
12 in subsection (b) whenever considering applications sub-
13 mitted by national service programs to receive a portion
14 of such assistance.

15 **“SEC. 128. TYPES OF ASSISTANCE.**

16 “(a) PLANNING ASSISTANCE.—The Corporation may
17 provide assistance under section 121 to qualified appli-
18 cants for the planning and establishment of national serv-
19 ice programs. Assistance provided under this subsection
20 may cover a period of not more than one year.

21 “(b) DEMONSTRATION ASSISTANCE.—The Corpora-
22 tion may provide assistance under section 121 to qualified
23 applicants for the establishment and operation of innova-
24 tive national service programs, as determined by the Cor-

*including applicants
in that
State.*

1 poration. Assistance provided under this subsection may
2 cover a period of not more than three years.

3 “(c) OPERATIONAL ASSISTANCE.—The Corporation
4 may provide assistance under section 121 to qualified ap-
5 plicants for the operation and expansion of national serv-
6 ice programs. Assistance provided under this subsection
7 may cover a period of not more than three years.

8 “(d) REPLICATION ASSISTANCE.—The Corporation
9 may provide assistance under section 121 to qualified ap-
10 plicants for the expansion of a proven national service pro-
11 gram to another geographical location. Assistance pro-
12 vided under this subsection may cover a period of not more
13 than three years.

14 “(e) LIMITATION ON ADMINISTRATIVE COSTS.—Ex-
15 cept in the case of assistance described in subsection (a),
16 a State or other applicant receiving assistance under sec-
17 tion 121 may not use more than five percent of the
18 amount of such assistance to cover administrative costs,
19 including indirect costs.

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

1 **"SEC. 129. TRAINING AND TECHNICAL ASSISTANCE.**

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

5 “(1) promote leadership development in na-
6 tional service programs planned, established, oper-
7 ated, expanded, or replicated using assistance pro-
8 vided to the applicant under section 121;

9 “(2) improve the instructional and pro-
10 grammatic quality of such programs to build an
11 ethic of ~~successful~~ and life-long national and commu-
12 nity service *and meet unmet needs*.

13 “(3) develop the management and budgetary
14 skills of program operators; and

15 “(4) improve the training provided to the par-
16 ticipants in such programs.

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

23 **"SEC. 130. MATCHING FUNDS REQUIREMENTS BY RECIPI-**
24 **ENTS.**

25 “(a) REQUIREMENTS.—A State or other applicant re-
26 ceiving assistance under section 121 which uses such as-

1 sistance to plan, establish, operate, expand, or replicate
2 directly a national service program shall be required to
3 satisfy the matching funds requirements established under
4 section _____. Any national service program receiving
5 funds from a grant program operated by a State or other
6 applicant using assistance obtained under section 121
7 shall also satisfy such matching funds requirements.

8 “(b) EXCEPTION.—A Federal agency receiving assist-
9 ance under section 121(b) shall not be required to satisfy
10 the matching funds requirements established under sec-
11 tion _____. However, the supplementation requirements
12 specified in section 173 shall apply with respect to the
13 Federal national service programs supported with such as-
14 sistance.

15 **“PART II—NATIONAL SERVICE PROGRAM**

16 **PARTICIPANTS**

17 **“SEC. 131. ELIGIBILITY REQUIREMENTS FOR NATIONAL**
18 **SERVICE PARTICIPANTS.**

19 “(a) ELIGIBILITY GENERALLY.—A national service
20 program planned, established, operated, expanded, or rep-
21 licated using assistance provided under section 121 shall
22 agree to accept as a participant in the program an individ-
23 ual who—

24 “(1) is 17 years of age or older;

*where's
the match?*

1 “(2) is a graduate from or student enrolled in
2 an institution of higher education or an out-of-school
3 youth;

4 “(3) is a citizen of the United States or lawfully
5 admitted for permanent residence; and

6 “(4) meets such other eligibility as may be es-
7 tablished by the program.

8 ~~“(b) SPECIAL ELIGIBILITY RULES FOR YOUTH~~
9 ~~CORPS PROGRAMS AND YOUTHBUILD PROGRAMS.—A~~
10 ~~youth corps program described in section 122(a)(1) or a~~
11 ~~Youthbuild program described in section 122(a)(9) that~~
12 ~~receives assistance under section 121 shall agree to accept~~
13 ~~as a participant in the program an individual who—~~

14 “(1) is an out-of-school youth;

15 “(2) is a citizen of the United States or lawfully
16 admitted for permanent residence; and

17 “(3) meets such other eligibility as may be es-
18 tablished by the program.

19 “(c) SPECIAL ELIGIBILITY REQUIREMENTS FOR
20 SCHOOL DROPOUTS.—

21 “(1) REASON FOR DROPPING OUT.—An individ-
22 ual who is an school dropout may not be accepted
23 to participate in a national service program planned,
24 established, operated, expanded, or replicated using
25 assistance provided under section 121 if the entity

why?

1 operating the program determines that the individ-
2 ual dropped out of an elementary or secondary
3 school in order to participate in the program.

4 “(2) AGREEMENT TO CONTINUE EDUCATION.—

5 An individual who is a school dropout may be ac-
6 cepted to participate in such a national service pro-
7 gram only if the individual enters into an agreement
8 with the entity operating the program to pursue a
9 course of study, approved by the State educational
10 agency, that is designed to result in the individual
11 achieving the equivalent of a high school diploma
12 during the term of service of the individual.

13 “(3) SCHOOL DROPOUT DEFINED.—For pur-
14 poses of this subsection, the term ‘school dropout’
15 has the meaning established for such term by the
16 Secretary of Education under section 6201(a) of the
17 Elementary and Secondary Education Act of 1964
18 (20 U.S.C. 3271(a)).

19 **“SEC. 132. REQUIRED TERMS OF SERVICE OF NATIONAL**
20 **SERVICE PARTICIPANTS.**

21 “(a) IN GENERAL.—A participant in a national serv-
22 ice program planned, established, operated, expanded, or
23 replicated using assistance provided to an applicant under
24 section 121 shall perform full- or part-time national serv-
25 ice for a term of service specified in subsection (b).

1 “(b) TERM OF SERVICE.—

2 “(1) FULL-TIME SERVICE.—An individual per-
3 forming full-time national service in a national serv-
4 ice program assisted under section 121 shall agree
5 to perform not less than _____ hours of approved
6 national service over a period of not less than nine
7 months and not more than one year.

8 “(2) PART-TIME SERVICE.—Except as provide
9 in paragraph (3), an individual performing part-time
10 national service in a national service program as-
11 sisted under section 121 shall agree to perform not
12 less than _____ hours of approved national service
13 over a period of not less than one year and not more
14 than two years.

15 “(3) REDUCTION IN HOURS OF PART-TIME
16 SERVICE.—The Corporation may reduce the number
17 of hours required to be served to successfully com-
18 plete part-time national service, except that any re-
19 duction in the required term of service shall include
20 a corresponding reduction in the amount of any
21 post-service educational benefit that may be avail-
22 able under subtitle D with regard to that service.

23 “(c) RELEASE FROM COMPLETING TERM OF SERV-
24 ICE.—A State or other recipient of assistance under sec-
25 tion 121 may release a participant from completing a term

1 of service in a national service program for compelling per-
2 sonal circumstances as demonstrated by the participant.
3 If the released participant was serving in a national serv-
4 ice position designated under section 137 as a position
5 that includes a post-service educational benefit described
6 in subtitle D, the participant shall not receive any portion
7 of the post-service educational benefit.

8 **"SEC. 133. LIVING ALLOWANCES FOR NATIONAL SERVICE**
9 **PARTICIPANTS.**

10 "(a) PROVISION OF LIVING ALLOWANCE.—

11 "(1) LIVING ALLOWANCE REQUIRED.—Except
12 as provided under subsection (b), a national service
13 program planned, established, operated, expanded,
14 or replicated using assistance provided under section
15 121 shall provide to each participant in the program
16 a living allowance in an amount to be determined by
17 the program, subject to paragraph (3).

18 "(2) LIMITATION ON FEDERAL SHARE.—The
19 amount of a living allowance required under para-
20 graph (1) that may be paid using assistance pro-
21 vided under section 121 or other Federal funds shall
22 not exceed the lesser of—

23 "(A) 85 percent of the hourly Federal min-
24 imum wage for each hour of national service
25 performed by the participant; and

1 “(B) 85 percent of the living allowance es-
2 tablished by the national service program in-
3 volved.

“(3) MAXIMUM LIVING ALLOWANCE.—The total amount of a living allowance provided under paragraph (1) to a participant in a national service program may not exceed 200 percent of the hourly Federal minimum wage for each hour of national service performed by the participant.

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

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

20 “(2) the applicant shall apply for such assist-
21 ance only by submitting an application to the Cor-
22 poration for assistance on a competitive basis under
23 section 123(c); and

24 “(3) the national service program must be oper-
25 ~~ated directly by the applicant and must not~~ urgent

meat

1 and unmet human, educational, environmental, and
2 public safety needs, as determined by the Corpora-
3 tion.

4 “(c) HEALTH INSURANCE AND CHILD CARE.—A
5 State or other recipient of assistance under section 121
6 shall—

7 “(1) provide health insurance to each full-time partic-
8 ipant in a national service program who does not otherwise
9 have access to health insurance; and

10 “(2) make child care available for children of each
11 full-time participant in a national service program.

12 **“SEC. 134. POST-SERVICE EDUCATIONAL BENEFITS.**

13 “A participant in a national service program planned,
14 established, operated, expanded, or replicated using assist-
15 ance provided to an applicant under section 121 shall be
16 eligible for the post-service educational benefit described
17 in subtitle D if the participant served in a approved na-
18 tional service position designated under section 137.

19 **“SEC. 135. CORPORATION REPRESENTATIVE IN EACH**
20 **STATE.**

21 “(a) DESIGNATION OF REPRESENTATIVE.—The Cor-
22 poration shall designate one employee of the Corporation
23 for each State or group of nearby States to serve as the
24 representative of the Corporation in the State or States

*Why is
this here?*

1 and to assist the Corporation in carrying out the activities
2 described in this subtitle in the State or States.

3 “(b) DUTIES.—The representative designated under
4 this section for a State or group of nearby States shall
5 serve as the liaison between—

6 “(1) the Corporation and the State Commission
7 on National Service in the State or States that is re-
8 quired to be established under section 178 as a con-
9 dition for receiving assistance under this subtitle;
10 and

11 “(2) the Corporation and subdivisions of a
12 State, Indian tribes, public and private nonprofit or-
13 ganizations, and institutions of higher education in
14 the State or States awarded a grant under section
15 121 directly from the Corporation.

16 “(c) MEMBER OF STATE COMMISSION.—The rep-
17 resentative designated under this section for a State or
18 group of States shall also serve as a voting member of
19 the State Commission on National Service established in
20 the State or States.

sec 1367.

1 **"PART III—DESIGNATION OF NATIONAL SERVICE**
2 **POSITIONS ELIGIBLE FOR POST-SERVICE**
3 **EDUCATIONAL BENEFITS**

4 **"SEC. 137. DESIGNATION AND DISTRIBUTION OF APPROVED**
5 **NATIONAL SERVICE POSITIONS.**

6 “(a) DESIGNATION AND DISTRIBUTION BY CORPORA-
7 TION.—Except as provided in subsections (b) and (c), the
8 Corporation shall—

9 “(1) designate certain national service positions
10 as positions that include the post-service educational
11 benefit described in subtitle D as one of the benefits
12 to be provided for successful service in the position;
13 and

14 “(2) distribute such approved national service
15 positions to States, subdivisions of States, Indian
16 tribes, public and private nonprofit organizations, in-
17 stitutions of higher education, and Federal agencies
18 on a competitive basis.

19 “(b) GUARANTEED DISTRIBUTION TO STATES AND
20 INDIAN TRIBES.—

21 “(1) 30 PERCENT ALLOTMENT FOR CERTAIN
22 STATES.—The Corporation shall allot to each of the
23 several States, the District of Columbia, and the
24 Commonwealth of Puerto Rico a number of national
25 service positions to be designated by the State as po-
26 sitions that include the post-service educational ben-

1 efit described in subtitle D and to be distributed by
2 the State. The number of such national service posi-
3 tions allotted to each such State for a fiscal year
4 shall be equal to the number that bears the same
5 ratio to 30 percent of the total number of such posi-
6 tions to be designated for that fiscal year as the
7 population of such State bears to the total popu-
8 lation of the several States, the District of Columbia,
9 and the Commonwealth of Puerto Rico.

10 “(2) ONE PERCENT ALLOTMENT FOR CERTAIN
11 OTHER STATES AND INDIAN TRIBES.—Of the total
12 number of approved national service positions to be
13 designated under this section for a fiscal year, the
14 Corporation shall reserve one percent of such num-
15 ber for distribution to Indian tribes, the Virgin Is-
16 lands, Guam, American Samoa, the Commonwealth
17 of the Northern Mariana Islands and Palau, until
18 such time as the Compact of Free Association is
19 ratified, in accordance with their respective needs.

20 “(3) COMPETITIVE DISTRIBUTION.—Of the
21 total number of approved national service positions
22 to be designated under this section for a fiscal year,
23 the Corporation shall distribute not less than 20 per-
24 cent of such positions to States and Indian tribes on
25 a competitive basis.

1 “(c) CORPORATION PROGRAMS.—[**Provision to**
2 **be added addressing VISTA and CCC program**
3 **eligibility for approved national service posi-**
4 **tions]**

5 “(d) DESIGNATION AND DISTRIBUTION SUBJECT TO
6 APPROPRIATIONS.—The Corporation may not designate
7 approved national service positions, or allot the authority
8 to make such designations under subsection (b), for a fis-
9 cal year in excess of the number of such positions for
10 which the Corporation has received sufficient appropria-
11 tions for that fiscal year to satisfy the maximum possible
12 obligations likely to be incurred by the United States to
13 provide the post-service educational benefits for these posi-
14 tions.

15 “(e) APPLICATION REQUIRED.—The actual allotment
16 of approved national service positions to a State or other
17 entity under subsection (b) or (c), and the competitive dis-
18 tribution of such positions under subsection (a), shall be
19 made by the Corporation only pursuant to an application
20 submitted under section 140 and approved by the Cor-
21 poration under section 141.

22 “(f) SPONSORSHIP OF APPROVED NATIONAL SERV-
23 ICE POSITIONS.—

24 “(1) SPONSORSHIP AUTHORIZED.—The Cor-
25 poration may enter into agreements with persons

*Rest for
Federal
allotment
by competitive?*

1 who offer to sponsor national service positions for
2 which the person will be responsible for supplying
3 the funds necessary to provide the post-service edu-
4 cational benefit described in subtitle D. The dis-
5 tribution of these approved national service positions
6 shall be made pursuant to the agreement, and the
7 creation of these positions shall not be taken into
8 consideration in determining the number of approved
9 national service positions to be allotted to a State or
10 other entity under this section.

11 “(2) DEPOSIT OF CONTRIBUTED POST-SERVICE
12 EDUCATIONAL BENEFITS.—Funds provided by a
13 person pursuant to an agreement under paragraph
14 (1) shall be deposited in the National Service Trust
15 established in section 145 until such funds are used.

16 **“SEC. 138. CRITERIA FOR DESIGNATING APPROVED NA-**
17 **TIONAL SERVICE POSITIONS.**

18 “(a) IN GENERAL.—In designating approved national
19 service positions under section 137, the Corporation or
20 State shall limit such designations to service positions
21 meeting educational, human ~~service~~, environmental, or
22 public safety needs in the United States. A State shall
23 use the criteria established by the Corporation in designat-
24 ing approved national service positions.

1 “(b) TYPES OF NATIONAL SERVICE ELIGIBLE FOR
2 DESIGNATION.—The Corporation, or a State authorized
3 to designate approved national service positions under sec-
4 tion 137, may designate any of the following as a national
5 service position that includes the post-service educational
6 benefit described in subtitle D:

7 “(1) A position involving service in a national
8 service program that receives assistance under part
9 I of this subtitle.

10 “(2) A position involving service in a program
11 that—

12 “(A) is conducted by a State, a subdivision
13 of a State, an Indian tribe, a public or private
14 nonprofit organization, an institution of higher
15 education, or a Federal agency; and

16 “(B) would be eligible to receive assistance
17 under part I of this subtitle, but has not ap-
18 plied for or received such assistance.

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

22 “(4) A position involving service as a service-
23 learning coordinator in a program that receives as-
24 sistance under subtitle B.

1 “(5) A position involving service in the Civilian
2 Community Corps under subtitle H.

3 “(6) A position involving service on the staff of
4 a national service program receiving an approved na-
5 tional service position under section 137, in the case
6 of an individual who has successfully completed one
7 required term of service in an approved national
8 service position.

9 “(7) A position involving service as an employee
10 in certain employment positions that are created by
11 a governmental entity or a public or private non-
12 profit organization and meet human, educational,
13 environmental, or public safety needs if the
14 position—

15 “(A) is unlikely to be filled in the next six
16 months due to a shortage of qualified appli-
17 cants; or

18 “(B) is located in an enterprise zone or re-
19 development area or is otherwise targeted for
20 special economic incentives.

21 “(8) Such other positions as the Corporation
22 considers to be appropriate.

23 “(c) NATIONAL REGISTRY.—Approved national serv-
24 ice positions designated by the Corporation or a State
25 under section 137 shall be listed in a national registry

1 maintained by the Corporation. Each State authorized to
2 designate approved national service positions under such
3 section shall also be required to maintain a registry of ap-
4 proved national service positions designated by the State.
5 The Corporation and the States shall make these reg-
6 istries available to the public through the placement offices
7 of institutions of higher education and secondary schools,
8 employment service centers, volunteer centers, and other
9 entities.

*Consent +
Court-appeal.*

10 **"SEC. 139. SELECTION OF INDIVIDUALS TO FILL AN AP-**
11 **PROVED NATIONAL SERVICE POSITION.**

12 “(a) SELECTION PROCESS.—Subject to subsection
13 (b), the actual recruitment and selection of an individual
14 to fill an approved national service position designated
15 under section 137 shall be conducted by the State, subdivi-
16 sion of a State, Indian tribe, public or private nonprofit
17 organization, institution of higher education, Federal
18 agency, or other entity to which the approved national
19 service position is distributed under such section.

20 “(b) NATIONAL RECRUITMENT AND PLACEMENT.—
21 The Corporation shall establish a national system to re-
22 cruit individuals who desire to perform national service
23 and to assist the placement of these individuals in ap-
24 proved national service positions. The Corporation may re-
25 quire as a condition on the designation and distribution

1 of approved national service positions under section 137,
2 or as a condition on the receipt of assistance under part
3 I of this subtitle, that the recipient of approved national
4 service positions fill a certain percentage of such positions
5 with individuals recruited under this subsection. The per-
6 centage established by the Corporation may not exceed
7 _____percent of the approved national service positions
8 provided to a recipient under section 137 for a fiscal year.

9 “(c) INFORMATION REGARDING SELECTED INDIVID-
10 UALS.—The recipient of an approved national service posi-
11 tion shall promptly provide to the Corporation, and update
12 as necessary, the following information about the individ-
13 ual selected to serve in the position:

14 “(1) The name and social security number of
15 the individual.

16 “(2) The home address of the individual.

17 “(3) The placement of the individual and types
18 of service to be performed.

19 “(4) The term of service to be performed by the
20 individual.

21 “(5) Such other reasonable information as the
22 Corporation may require by rule.

1 **“SEC. 140. APPLICATION TO RECEIVE APPROVED NATIONAL**
2 **SERVICE POSITIONS.**

3 “(a) SUBMISSION REQUIRED.—To be eligible to re-
4 ceive approved national service positions that are distrib-
5 uted for a fiscal year, a State, subdivision of a State, In-
6 dian tribe, public or private nonprofit organization, insti-
7 tution of higher education, or Federal agency shall prepare
8 and submit to the Corporation for approval an application
9 at such time and in such manner as the Commission may
10 reasonably require. In the case of a State or other appli-
11 cant also applying for assistance under part I of this sub-
12 title, the application required by this subsection shall be
13 included in the application required under section 124.

14 “(b) CONTENT OF APPLICATION.—An application re-
15 quired by this section shall contain the information re-
16 quired by section 124(b).

17 “(c) SPECIAL RULE FOR STATE APPLICANTS.—The
18 application of a State under this section, whether submit-
19 ted to obtain the allotment of the State under section
20 137(b) or a competitive distribution, shall be submitted
21 by the State Commission on National Service required to
22 be established under section 178 and shall contain the na-
23 tional service plan for the State required under section
24 178A.

1 **“SEC. 141. CONSIDERATION OF APPLICATIONS.**

2 “(a) APPLICATION OF CRITERIA.—The Corporation
3 shall apply the criteria described in section 127(b) in de-
4 termining whether—

5 “(1) to approve an application submitted under
6 section 140; and

7 “(2) to designate national service positions de-
8 scribed in the application as national service posi-
9 tions that include the post-service educational bene-
10 fit described in subtitle D as one of the benefits to
11 be provided for successful service in the positions.

12 **“(b) REJECTION OF APPLICATIONS.—**

13 “(1) NOTIFICATION OF STATE APPLICANTS.—If
14 the Corporation rejects an application submitted by
15 a State Commission on National Service under sec-
16 tion 140, the Corporation shall promptly notify the
17 Commission of the reasons for the rejection of the
18 application. The Corporation shall provide the Com-
19 mission with a reasonable opportunity to revise and
20 resubmit the application and may provide technical
21 assistance to the Commission as part of the resub-
22 mission process.

23 “(2) OTHER APPLICANTS.—The Corporation is
24 not required to provide notice to applicants other
25 than States of the failure of the Corporation to ap-

1 prove an application under section 140 for approved
2 national service positions.”

3 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
4 tional and Community Service Act of 1990 (Public Law
5 101–610; 104 Stat. 3127) is amended by striking the
6 items relating to subtitle C of title I of such Act and in-
7 serting the following new items:

“Subtitle C—National Service Program

“PART I—INVESTMENT IN NATIONAL SERVICE PROGRAMS

- “Sec. 121. Authority to provide assistance to national service programs.
- “Sec. 122. Types of national service programs to be assisted.
- “Sec. 123. Provision of assistance by competitive and other means.
- “Sec. 124. Application for assistance.
- “Sec. 125. National service program requirements.
- “Sec. 126. Ineligible service categories.
- “Sec. 127. Consideration of applications.
- “Sec. 128. Types of assistance.
- “Sec. 129. Training and technical assistance.
- “Sec. 130. Matching funds requirements by recipients.

“PART II—NATIONAL SERVICE PROGRAM PARTICIPANTS

- “Sec. 131. Eligibility requirements for national service participants.
- “Sec. 132. Required terms of service of national service participants.
- “Sec. 133. Living allowances for national service participants.
- “Sec. 134. Post-service educational benefits.
- “Sec. 135. Corporation representative in each State.

“PART III—DESIGNATION OF NATIONAL SERVICE POSITIONS ELIGIBLE FOR
POST-SERVICE EDUCATIONAL BENEFITS

- “Sec. 137. Designation and distribution of approved national service positions.
- “Sec. 138. Criteria for designating approved national service positions.
- “Sec. 139. Selection of individuals to fill an approved national service position.
- “Sec. 140. Application to receive approved national service positions.
- “Sec. 141. Consideration of applications.”.

8 **SEC. 104. NATIONAL SERVICE TRUST AND PROVISION OF**
9 **POST-SERVICE EDUCATIONAL BENEFITS.**

10 (a) ESTABLISHMENT OF TRUST; PROVISION OF BEN-
11 EFITS.—Subtitle D of title I of the National and Commu-

1 nity Service Act of 1990 (42 U.S.C. 12571 et seq.) is
2 amended to read as follows:

3 **“Subtitle D—National Service**
4 **Trust and Provision of Post-**
5 **Service Educational Benefits**

6 **“SEC. 145. ESTABLISHMENT OF THE NATIONAL SERVICE**
7 **TRUST.**

8 “(a) ESTABLISHMENT.—There is established in the
9 Treasury of the United States an account to be known
10 as the National Service Trust. The Trust shall consist
11 of—

12 “(1) such amounts as the Corporation may des-
13 ignate to be available for the payment of post-service
14 educational benefits from the amounts appropriated
15 to the Corporation and made available to carry out
16 this subtitle pursuant to section 501(a)(1);

17 “(2) any amounts received by the Corporation
18 as gifts, bequests, devise, or otherwise pursuant to
19 section 192(a)(2);

20 “[(3) the interest on, and proceeds from the
21 sale or redemption of, any obligations held by the
22 Trust];

23 “[(4) other-to be supplied].

24 “(b) INVESTMENT OF TRUST.—It shall be the duty
25 of the Secretary of the Treasury to invest in full the

1 amounts appropriated to the Trust. [Except as otherwise
2 expressly provided in instruments concerning a gift, be-
3 quest, devise, or other donation that is agreed to by the
4 Corporation,] such investments may be made only in in-
5 terest-bearing obligations of the United States or in obli-
6 gations guaranteed as to both principal and interest by
7 the United States. For such purpose, such obligations may
8 be acquired (1) on original issue at the issue price, or (2)
9 by purchase of outstanding obligations at the market
10 place. Any obligation acquired by the Trust may be sold
11 by the Secretary at the market price.

12 “(c) EXPENDITURES FROM TRUST.—Amounts in the
13 Trust shall be available for payments of post service edu-
14 cational benefits in accordance with section 148.

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

19 “(1) specify (A) the amount deposited to the
20 Trust from the most recent appropriation to the
21 Corporation, (B) the amount received by the Cor-
22 poration as gifts or bequest during the period cov-
23 ered by the report, and (C) any amounts obtained by
24 the Trust pursuant to subsection[s] (a)(3) [and
25 (a)(4)];

1 “(2) identify the number of individuals who are
2 currently performing service to qualify, or have
3 qualified, for post-service educational benefits (A) in
4 accordance with section 147(a), and (B) in accord-
5 ance with section 147(b);

6 “(3) identify the number of individuals whose
7 ability to claim post-service educational benefits has,
8 during the period covered by the report (A) been ter-
9 minated pursuant to section 147(c), or (B) lapsed
10 pursuant to section 146(d);

11 “(4) estimate the number of additional posi-
12 tions which the Corporation will be able to make
13 available under section 137 on the basis of any accu-
14 mulated surplus in the Trust above the amount re-
15 quired to provide post-service educational benefits to
16 individuals identified under paragraph (2);

17 “(5) [other—to be supplied].

18 **“SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A POST-**
19 **SERVICE EDUCATIONAL BENEFIT FROM THE**
20 **TRUST.**

21 “(a) **ELIGIBLE INDIVIDUALS.**—An individual shall
22 receive a post-service educational benefit from the Na-
23 tional Service Trust if the individual—

24 “(1) successfully completes the required term of
25 service described in subsection (b) in a national serv-

1 ice position designated under section 137 as a posi-
2 tion that includes a post-service educational benefit
3 described in this subtitle as a part of the benefits to
4 be provided for service in the position;

5 “(2) was 17 years of age or older at the time
6 the individual began serving in the approved na-
7 tional service position or was an out-of-school youth
8 serving in an approved national service position with
9 a youth corps program described in section
10 122(a)(1) or a Youthbuild program described in sec-
11 tion 122(a)(9);

12 “(3) had a high school diploma, or the equiva-
13 lent of such diploma, at the time the individual
14 began serving in the approved national service posi-
15 tion or, in the case of a school dropout, received
16 such a diploma or its equivalent within _____years
17 after completing the required term of service in the
18 position; and

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

21 “(b) TERM OF SERVICE.—The term of service for an
22 approved national service position shall not be less than
23 the full- or part-time term of service specified in section
24 132(b).

1 “(c) LIMITATION ON NUMBER OF TERMS OF SERV-
2 ICE FOR BENEFITS.—Although an individual may serve
3 more than two terms of service described in subsection (b)
4 in an approved national service position, the individual
5 shall receive a post-service educational benefit from the
6 National Service Trust only on the basis of the first two
7 of such terms of service successfully completed.

8 “(d) TIME FOR USE OF EDUCATIONAL BENEFIT.—

9 “(1) FIVE YEAR REQUIREMENT.—An individual
10 eligible to receive a post-service educational benefit
11 under this section shall not receive or use the benefit
12 after the end of the five-year period beginning on
13 the date the individual completed the final required
14 term of service in an approved national service posi-
15 tion that is the basis for receiving the benefit.

16 “(2) EXCEPTION.—Subsection (a) shall not
17 apply if the Corporation determines, on case by case
18 basis, that an individual was unavoidably prevented
19 from using the post-service educational benefit dur-
20 ing such time period.

21 **“SEC. 147. AMOUNT AND AUTHORIZED USES OF THE POST-**
22 **SERVICE EDUCATIONAL BENEFIT.**

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 post-
2 service educational benefit equal to \$5,000 for each of not
3 more than two such terms of service.

4 “(b) AMOUNT FOR SERVICE AFTER COLLEGE.—An
5 individual described in section 146(a) who **[completes/
6 begins?]** a required term of service in an approved na-
7 tional service position after receiving a baccalaureate de-
8 gree from an institution of higher education shall be per-
9 mitted to select one of the following post-service edu-
10 cational benefit options upon successfully completing such
11 term of service:

12 “(1) \$5,000 for each of not more than two suc-
13 cessfully completed terms of service in an approved
14 national service position.

15 “(2) The amount equal to the balance of all
16 qualified Federal student loans on behalf of the indi-
17 vidual which were outstanding on the date the indi-
18 vidual first began serving in an approved national
19 service position after receiving a baccalaureate de-
20 gree, except that such amount shall not exceed
21 \$10,000 for each of not more than two successfully
22 completed terms of service in an approved national
23 service position.

24 “(c) NO BENEFIT FOR PARTIAL COMPLETION OF
25 SERVICE.—If an individual serving in an approved na-

1 tional service position is released from completing the term
2 of service agreed to by the individual, the individual shall
3 not receive any portion of the post-service educational ben-
4 efit approved for the individual.

5 “(d) LIMITATION ON USE OF CERTAIN BENEFIT OP-
6 TION.—In the case of an individual described in subsection
7 (b) who selects the post-service educational benefit option
8 specified in paragraph (2) of such subsection, the individ-
9 ual may use the educational benefit only for the repayment
10 of outstanding student loans under section 148(b) that
11 were used to calculate the amount of the educational bene-
12 fit.

13 “(e) BENEFIT 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 post-
17 service educational benefit from the National Service
18 Trust.

19 “(f) BENEFIT EXCLUSION FROM MEANS-TESTED
20 PROGRAMS.—Any amount received by an individual as a
21 post-service educational benefit from the National Service
22 Trust shall not be included as income for purposes of de-
23 termining eligibility for means-tested Federal programs.
24 **[Is ‘means-tested Federal programs’ defined**

1 somewhere? Are you referring to just Higher
2 Ed programs?]

3 "SEC. 148. DISBURSEMENT OF POST-SERVICE EDU-
4 CATIONAL BENEFITS.

5 "(a) IN GENERAL.—Amounts in the Trust shall be
6 available—

7 "(1) to repay student loans in accordance with
8 subsection (b);

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

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

15 "(b) USE OF EDUCATIONAL BENEFIT TO REPAY
16 OUTSTANDING STUDENT LOANS.—

17 "(1) APPLICATION BY ELIGIBLE INDIVID-
18 UALS.—An eligible individual under section 146 who
19 desires to apply his or her post-service educational
20 benefit to the repayment of qualified student loans
21 shall submit, on a form prescribed by the Corpora-
22 tion, an application to the Corporation that—

23 "(A) identifies the lender or lenders of
24 such loans;

1 “(B) indicates the amounts of principal
2 and interest outstanding on the loans; and

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

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

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

21 “(4) REPORTS BY LENDERS.—Any lender re-
22 ceiving a loan payment pursuant to this subsection
23 shall submit to the Corporation such information as
24 the Corporation may require to verify that such pay-
25 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 lenders under this sub-
6 section. **【Timing problems—but will need this to**
7 **avoid administration costs.】**

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

10 “(A) any loan made, insured, or guaran-
11 teed pursuant to title IV of the Higher Edu-
12 cation Act of 1965, other than a loan to a par-
13 ent of a student pursuant to section 428B of
14 such Act;

15 “(B) any loan made pursuant to title VII
16 of the Public Health Service Act;

17 “(C) **【other - to be supplied】**

18 (7) **【other - to be supplied】**

19 “(c) USE OF EDUCATIONAL BENEFITS TO PAY CUR-
20 RENT EDUCATIONAL EXPENSES.—

21 “(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—

22 An eligible individual under section 146 who desires
23 to apply his or her post-service educational benefit
24 to the payment of current educational expenses
25 shall, on a form prescribed by the Corporation, sub-

1 mit an application to the institution of higher edu-
2 cation in which student will be enrolled that contains
3 such information as the Corporation may require to
4 verify the individual's eligibility.

5 “(2) SUBMISSION OF REQUESTS FOR PAYMENT
6 BY INSTITUTIONS.—An institution of higher edu-
7 cation that receives one or more applications that
8 comply with paragraph (1) **【may/shall】** submit to
9 the Corporation a statement, in a form prescribed by
10 the Corporation, that—

11 “(A) identifies the eligible individuals filing
12 applications under paragraph (1) for a dis-
13 bursement of the individual's post-service edu-
14 cational benefit under this subsection;

15 “(B) specifies the amounts for which such
16 eligible individuals are, consistent with para-
17 graph (6), qualified for disbursement under this
18 subsection;

19 “(C) certifies that (i) the institution of
20 higher education has in effect a program par-
21 ticipation agreement under section 487 of the
22 Higher Education Act of 1965 (20 U.S.C.
23 1094), and (ii) the institution's eligibility to
24 participate in programs under title IV of such

1 Act has not been limited, suspended, or termi-
2 nated; and

3 “(D) contains such provisions concerning
4 **【financial compliance】** as the Corporation may
5 require.

6 “(3) DISBURSEMENT OF PAYMENTS.—Upon re-
7 ceipt of a statement from an institution of higher
8 education that complies with paragraph (2), the Cor-
9 poration shall, subject to paragraph (4), disburse the
10 total amount of the post-service educational benefits
11 for which eligible individuals who have submitted ap-
12 plications to that institution under paragraph (1)
13 are qualified. Such disbursement shall be made by
14 check or other means that is payable to the institu-
15 tion and requires the endorsement or other certifi-
16 cation by the eligible individual.

17 “(4) MULTIPLE DISBURSEMENTS REQUIRED.—
18 The total amount required to be disbursed to an in-
19 stitution of higher education under paragraph (3)
20 for any period of enrollment shall be disbursed by
21 the Corporation in 2 or more installments, none of
22 which exceeds $\frac{1}{2}$ of such total amount. The interval
23 between the first and second such installment shall
24 not be less than $\frac{1}{2}$ of such period of enrollment, ex-
25 cept as necessary to permit the second installment to

1 be paid at the beginning of the second semester,
2 quarter, or similar division of such period of enroll-
3 ment.

4 “(5) REFUND RULES.—The Corporation shall,
5 by regulation, provide for the refund to the Corpora-
6 tion (and the crediting to the post-service edu-
7 cational benefit of an eligible individual) of amounts
8 disbursed to institutions for the benefit of eligible in-
9 dividuals who withdraw or otherwise fail to complete
10 the period of enrollment for which the assistance
11 was provided. Such regulations shall be consistent
12 with the fair and equitable refund policies required
13 of institutions pursuant to section 484B of the
14 Higher Education Act of 1965.

15 “(6) MAXIMUM BENEFIT.—The portion of an
16 eligible individual’s total available post-service edu-
17 cational benefit that may be disbursed under this
18 subsection for any period of enrollment shall not ex-
19 ceed the difference between—

20 “(A) the eligible individual’s cost of attend-
21 ance for such period of enrollment, determined
22 in accordance with section 472 of the Higher
23 Education Act of 1965; and

24 “(B) the sum of (i) the student’s estimated
25 financial assistance for such period pursuant to

1 part A of title IV of such Act, and (ii) the stu-
2 dent's veterans' education benefits, determined
3 in accordance with section 480(c) of such Act.

4 “(7) **【Other to be supplied】**.—

5 “(d) **USE OF EDUCATIONAL BENEFIT TO PARTICI-**
6 **PATE IN APPRENTICESHIP PROGRAMS.**—The Corporation
7 shall by regulation provide for the payment of post-service
8 educational benefits to permit eligible individuals to par-
9 ticipate in recognized and approved apprenticeship pro-
10 grams. Such regulations shall—

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

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

14 **【to be supplied - may already be located in**
15 **general Corporation powers.】**

16 “(f) **【Addition Provisions - to be supplied】**.

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

22 (b) **TABLE OF CONTENTS.**—Section 1(b) of the Na-
23 tional and Community Service Act of 1990 (Public Law
24 101-610; 104 Stat. 3127) is amended by striking the

1 items relating to subtitle D of title I of such Act and in-
2 serting the following new items:

“Subtitle D—National Service Trust and Provision of Post-Service
Educational Benefits

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

“Sec. 146. Individuals eligible to receive a post-service educational benefit from
the Trust.

“Sec. 147. Amount and authorized uses of the post-service educational benefit.

“Sec. 148. Disbursement of post-service educational benefits.”.

3 (c) CONFORMING AMENDMENTS.—

4 [(1) IMPACT ON ELIGIBILITY FOR STAFFORD
5 LOANS.—Section 428(a)(2)(C)(i) of the Higher Edu-
6 cation Act of 1965 (20 U.S.C. 1078(a)(2)(C)(i)) is
7 amended by inserting after “parts A and C of this
8 title,” the following: “any post-service educational
9 benefit such student will receive under subtitle D of
10 title I of the National and Community Service Act
11 of 1990 (42 U.S.C. 12751 et seq.),”.] [This at-
12 tempts to prevent “overborrowing” of subsidized
13 loans by service benefit recipients.]

14 [(2) IMPACT ON GENERAL NEEDS ANALYSIS.—
15 Section 480(j) of such Act (42 U.S.C. 1087vv(j)) is
16 amended by adding at the end the following new
17 paragraph:

18 [“(3) Notwithstanding paragraph (1), esti-
19 mated financial assistance not received under this
20 title does not include any post-service educational
21 benefit such student will receive under subtitle D of
22 title I of the National and Community Service Act

1 of 1990 (42 U.S.C. 12751 et seq.),”.] [This at-
2 tempts to prevent reduction of grants to service ben-
3 efit recipients.]

4 (3) [Need to amend 480(b)(7)?]

5 **TITLE II—ORGANIZATION**

6 **SEC. 201. CORPORATION FOR NATIONAL SERVICE.**

7 (a) IN GENERAL.—Title I of the National and Com-
8 munity Service Act of 1990 is amended—

9 (1) by repealing subtitle G (42 U.S.C. 12651);
10 and

11 (2) by inserting the following:

12 **“Subtitle G—Corporation for** 13 **National Service**

14 **“PART I—ORGANIZATION**

15 **“SEC. 191. CORPORATION FOR NATIONAL SERVICE.**

16 “There is established a Corporation for National
17 Service that shall administer the programs established
18 under the national service laws. The Corporation shall be
19 a Government corporation, as defined in section 103 of
20 title 5, United States Code.

21 **“SEC. 191A. BOARD OF DIRECTORS.**

22 “(a) COMPOSITION.—

23 “(1) IN GENERAL.—There shall be in the Cor-
24 poration a Board of Directors (referred to in this
25 part as the ‘Board’) that shall be composed of—

1 “(A) 11 members, including the Chair-
2 person appointed under section 191C, to be ap-
3 pointed by the President by and with the advice
4 and consent of the Senate; and

5 “(B) the ex officio members described in
6 paragraph (4).

7 “(2) QUALIFICATIONS.—To the maximum ex-
8 tent practicable, the President shall appoint
9 members—

10 “(A) who have extensive experience in vol-
11 unteer and service opportunity programs and
12 who represent a broad range of viewpoints;

13 “(B) who have expertise in the area of
14 human, educational, environmental, or public
15 safety service; and

16 “(C) so that the Board shall be diverse ac-
17 cording to race, ethnicity, age, and gender, and
18 shall have bipartisan representation.

19 “(3) INITIAL MEMBERS.—The members first
20 appointed to the Board after the date of enactment
21 of this section shall be appointed from among indi-
22 viduals who served on the Board of Directors of the
23 Commission on National and Community Service.

24 “(4) EX OFFICIO MEMBERS.—The Secretary of
25 Education, the Secretary of Health and Human

will achieve
enough results
- appropriate

1 Services, the Secretary of Labor, the Secretary of
2 the Interior, the Secretary of Agriculture, the Sec-
3 retary of Housing and Urban Development, and the
4 Secretary of Defense shall serve as ex officio mem-
5 bers of the Board.

Attorney General

6 “(b) TERMS.—Each member of the Board shall serve
7 for a term of 3 years, except that four of the members
8 first appointed to the Board after the date of enactment
9 of this section shall serve for a term of 1 year and four
10 shall serve for a term of 2 years, as designated by the
11 President.

12 “(c) VACANCIES.—As vacancies occur on the Board,
13 new members shall be appointed by the President, by and
14 with the advice and consent of the Senate, and serve for
15 the remainder of the term for which the predecessor of
16 such member was appointed. The vacancy shall not affect
17 the power of the remaining members to execute the duties
18 of the Board.

19 **“SEC. 191B. AUTHORITIES AND DUTIES OF THE BOARD OF**
20 **DIRECTORS.**

21 “(a) MEETINGS.—The Board shall meet not less than
22 three times each year. The Board shall hold additional
23 meetings if six members of the Board request such meet-
24 ings in writing.

1 “(b) QUORUM.—A majority of the appointed mem-
2 bers of the Board shall constitute a quorum.

3 “(c) VICE CHAIRPERSON.—The Board shall elect a
4 Vice Chairperson from among its membership. The Vice
5 Chairperson may conduct meetings of the Board in the
6 absence of the Director.

7 “(d) EXPENSES.—While away from their homes or
8 regular places of business on the business of the Board,
9 members of such Board may be allowed travel expenses,
10 including per diem in lieu of subsistence, as is authorized
11 under section 5703 of title 5, United States Code, for per-
12 sons employed intermittently in the Government service.

13 “(e) SPECIAL GOVERNMENT EMPLOYEES.—For pur-
14 poses of the provisions of chapter 11 of part I of title 18,
15 United States Code, and any other provision of Federal
16 law, a member of the Board (to whom such provisions
17 would not otherwise apply except for this subsection) shall
18 be a special Government employee.

19 “(f) DUTIES.—The Board shall—

20 “(1) advise the Director with respect to policies,
21 programs, and procedures for carrying out the func-
22 tions, duties, or responsibilities of the Director
23 under the national service laws;

24 “(2) advise the Director and the Congress con-
25 cerning developments in national and community

1 service that merit the attention of the Director and
2 the Congress;

3 “(3) prepare an annual strategic plan that
4 makes recommendations to the Director with respect
5 to the policies, standards, criteria, procedures, con-
6 tracts, agreements, and payments described in sec-
7 tion 191D(c)(9);

8 “(4) receive, and act on, the reports issued by
9 the Inspector General of the Corporation;

10 “(5) provide for research with respect to na-
11 tional and community service programs, including
12 service-learning programs;

13 “(6) arrange for the evaluation of programs es-
14 tablished under the national service laws, in accord-
15 ance with section 179; and

16 “(7) carry out any other activities determined
17 to be appropriate by the Chairperson of the Corpora-
18 tion.

19 **“SEC. 191C. CHAIRPERSON.**

20 “(a) APPOINTMENT.—The Corporation shall be head-
21 ed by a Chairperson, who shall be appointed by the Presi-
22 dent by and with the advice and consent of the Senate.

23 “(b) COMPENSATION.—The Chairperson shall be
24 compensated at the rate provided for level III of the Exec-

(2/12)
Develop separate
policy task
Force
Encourage
with developing
criteria for
priority + other
areas in
each of the 4
service areas -
capacity of
experts +
service to be
ratification?
task forces
in areas
and issues

1 utive Schedule under section 5314 of title 5, United States
2 Code.

3 “(c) EXECUTIVE DIRECTOR.—The Chairperson shall
4 serve as the Executive Director of the Corporation. *“Director”?*

5 “(d) REGULATIONS.—The Chairperson shall pre-
6 scribe such rules and regulations as are necessary or ap-
7 propriate to carry out the national service laws.

8 **“SEC. 191D. AUTHORITIES AND DUTIES OF THE CHAIR-**
9 **PERSON.**

10 “(a) GENERAL POWERS AND DUTIES.—The Director
11 shall be responsible for the exercise of all powers and the
12 discharge of all duties of the Corporation, and shall have
13 authority and control over all personnel and activities of
14 the Corporation.

15 “(b) DUTIES.—In addition to the duties conferred on
16 the Director under the Domestic Volunteer Service Act of
17 1973, the Director shall—

18 “(1) design, administer, and disseminate infor-
19 mation regarding, the programs and initiatives of
20 the Corporation;

21 “(2) consult with appropriate Federal agencies
22 in administering such programs;

23 “(3) directly or through contract with public or
24 private nonprofit organizations that have extensive
25 experience in service programs—

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covered under
§ 191B?*

or in meeting 9 area needs

1 “(A) provide training and technical assist-
2 ance to entities carrying out programs under
3 the national service laws; and

4 “(B) support other activities that build the
5 capacity of organizations to operate quality na-
6 tional service programs ~~and expand opportuni-~~
7 ~~ties for youth leadership~~; and

8 “(4) notify the Board of any substantial dif-
9 ferences between the actions of the Director and the
10 recommendations of the strategic plan described in
11 section 191B(f)(3).

12 “(c) POWERS.—In addition to the authority conferred
13 on the Director under the Domestic Volunteer Service Act
14 of 1973, the Director may—

15 “(1) establish, alter, consolidate, or discontinue
16 such organizational units or components within the
17 Corporation as the Director considers necessary or
18 appropriate;

19 “(2) with the approval of the President—

20 “(A) arrange with and reimburse the heads
21 of other Federal agencies for the performance
22 of any of the provisions of the national service
23 laws; and

24 “(B) as necessary or appropriate—

1 “(i) delegate any of the functions of
2 the Director under the national service
3 laws to such heads of Federal agencies;
4 and

5 “(ii) authorize the redelegation of
6 such functions,

7 subject to provisions to assure the maximum
8 possible liaison between the Corporation and
9 such other agencies at all operating levels;

10 “(3) with their consent, utilize the services and
11 facilities of Federal agencies without reimbursement,
12 and, with the consent of any State or a political sub-
13 division of a State, accept and utilize the services
14 and facilities of the agencies of such State or sub-
15 divisions without reimbursement;

16 “(4) allocate and expend, or transfer to other
17 Federal agencies for expenditure, such funds made
18 available under the national service laws as the Di-
19 rector determines to be necessary to carry out the
20 provisions of such Acts, including expenditure for
21 construction, repairs, and capital improvements;

22 “(5) disseminate, without regard to the provi-
23 sions of section 3204 of title 39, United States
24 Code, data and information, in such form as the Di-
25 rector shall determine to be appropriate to public

1 agencies, private organizations, and the general pub-
2 lic;

3 “(6) collect or compromise all obligations to or
4 held by the Director and all legal or equitable rights
5 accruing to the Director in connection with the pay-
6 ment of obligations in accordance with chapter 37 of
7 title 31, United States Code (commonly known as
8 the ‘Federal Claims Collection Act of 1966’);

9 “(7) expend funds made available for such pur-
10 poses, without regard to any other law or regulation,
11 for rent of buildings and space in buildings and for
12 repair, alteration, and improvement of buildings and
13 space in buildings rented by the Director;

14 “(8) notwithstanding any other provision of
15 law, make grants to or contracts with Federal or
16 other public departments or agencies and private
17 nonprofit organizations for the assignment or refer-
18 ral of volunteers under the provisions of the national
19 service laws (except as provided in section 108 of the
20 Domestic Volunteer Service Act of 1973), which may
21 provide that the agency or organization shall pay all
22 or a part of the costs of the program;

23 “(9) establish such policies, standards, criteria,
24 and procedures, enter into such contracts and agree-
25 ments with public agencies and private organizations

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*is this
freedom contract
or contract?*

1 and persons, and make such payments (in lump sum
2 or installments, and in advance or by way of reim-
3 bursement, and in the case of grants otherwise au-
4 thorized under such provisions, with necessary ad-
5 justments on account of overpayments and under-
6 payments) as are necessary or appropriate to carry
7 out such provisions;

8 (10) sue **【and be sued】** in any court of record
9 of a State having general jurisdiction or in any dis-
10 trict court of the United States, **【with respect to a**
11 **civil action arising under the national service laws】**;
12 and

13 “(11) generally perform such functions and
14 take such steps consistent with the purposes and
15 provisions of the national service laws, as the Direc-
16 tor determines to be necessary or appropriate to
17 carry out such provisions.

18 (d) ACTION.—**【In an action described in subsection**
19 **(c)(10)—**

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

23 (2) such an action brought by **【or against】** the
24 Director shall survive notwithstanding any change in

1 the person occupying the office of Director or any
2 vacancy in that office;

3 (3) no attachment, injunction, garnishment, or
4 other similar process, mesne or final, shall be issued
5 against the Director or property under the control of
6 the Director; and

7 (4) nothing in this section shall be construed to
8 except litigation arising out of activities under the
9 national service laws from the application of sections
10 509, 517, 547, and 2679 of title 28, United States
11 Code.]

12 **"SEC. 191E. OFFICERS.**

13 **"(a) EXECUTIVE DIRECTOR.—**

14 **"(1) IN GENERAL.—**There shall be in the Ad-
15 ministration an Executive Director.

16 **"(2) DUTIES.—**The Executive Director shall
17 carry out operational responsibility for all programs
18 described in subsection (b)(3)(A). The Executive Di-
19 rector shall identify promising service initiatives, and
20 coordinate the work of the Corporation with the
21 work of other Federal agencies involved in service
22 activities and in the design of a competitive grant to
23 provide assistance as authorized under the programs
24 described in subsection (b)(3)(B).

25 **"(b) MANAGING DIRECTORS.—**

1 “(1) IN GENERAL.—There shall be in the Ad-
2 ministration two Managing Directors.

3 “(2) COMPENSATION.—The Managing Direc-
4 tors shall be compensated at the rate provided for
5 level IV of the Executive Schedule under section
6 5315 of title 5, United States Code.

7 “(3) DUTIES.—

8 “(A) FEDERAL PROGRAMS.—One of the
9 Managing Directors shall be primarily respon-
10 sible for the Federal programs carried out by
11 the Corporation.

12 “(B) GRANT PROGRAMS.—The other Man-
13 aging Director shall be primarily responsible for
14 the grant programs carried out by the Corpora-
15 tion.

16 “(c) INSPECTOR GENERAL.—

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

19 “(2) APPOINTMENT.—Such Office shall be
20 headed by an Inspector General appointed in accord-
21 ance with the Inspector General Act of 1978, who
22 shall report directly to the Board.

23 “(3) COMPENSATION.—The Inspector General
24 shall be compensated at the rate provided for level

1 IV of the Executive Schedule under section 5315 of
2 title 5, United States Code.

3 “(4) DUTIES.—[To be supplied.]

4 **“SEC. 191F. EMPLOYEES, CONSULTANTS, AND OTHER PER-**
5 **SONNEL.**

6 “(a) EMPLOYEES.—

7 “(1) IN GENERAL.—The Director may appoint
8 and determine the compensation of such employees
9 as the Director determines to be necessary to carry
10 out the duties of the Corporation.

11 “(2) TERMS.—[Such an employee shall be ap-
12 pointed for a term that shall not exceed 5 years, and
13 may be appointed for an additional term. No such
14 employee shall be appointed for a total period of
15 more than 7 years.]

16 “(3) APPOINTMENT AND COMPENSATION.—

17 “(A) IN GENERAL.—Except as provided in
18 subparagraphs (B) and (C), the Director may
19 appoint and determine the compensation of em-
20 ployees under this paragraph without regard to
21 the provisions of title 5, United States Code,
22 governing appointments in the competitive serv-
23 ice, and without regard to the provisions of
24 chapter 51 and subchapter III of chapter 53 of

1 such title relating to classification and General
2 Schedule pay rates.

3 “(B) LIMIT ON COMPENSATION.—The rate
4 of compensation for each employee appointed
5 under this paragraph shall not exceed the an-
6 nual rate of basic pay payable for level V of the
7 Executive Schedule under section 5316 of title
8 5, United States Code.

9 “(C) CIVIL SERVICE EMPLOYEES.—The
10 Director may appoint and determine the com-
11 pensation of not more than ____ positions in
12 the Corporation in accordance with the provi-
13 sions of title 5, United States Code.

14 “(b) CONSULTANTS.—The Director may procure the
15 temporary and intermittent services of experts and con-
16 sultants and compensate the experts and consultants in
17 accordance with section 3109(b) of title 5, United States
18 Code.

19 “(c) DETAILS OF PERSONNEL.—The head of any
20 Federal department or agency may detail on a reimburs-
21 able basis, or on a nonreimbursable basis for not to exceed
22 180 calendar days during any fiscal year, as agreed upon
23 by the Director and the head of the Federal agency, any
24 of the personnel of that department or agency to the Cor-
25 poration to assist the Corporation in carrying out the du-

1 ties of the Corporation under this Act. Any detail shall
2 not interrupt or otherwise affect the civil service status
3 or privileges of the Federal employee.

4 **"SEC. 192. ADMINISTRATION.**

5 “(a) DONATIONS.—

6 “(1) SERVICES.—

7 “(A) VOLUNTEERS.—Notwithstanding any
8 other provision of Federal law, the Corporation
9 may solicit and accept the voluntary services of
10 individuals, and provide to such individuals the
11 travel expenses described in section 191B(d).

12 “(B) LIMITATION.—Such a volunteer shall
13 not be considered to be a Federal employee and
14 shall not be subject to the provisions of law re-
15 lating to Federal employment, including those
16 relating to hours of work, rates of compensa-
17 tion, leave, unemployment compensation, and
18 Federal employee benefits, except that—

19 “(i) for the purposes of the tort
20 claims provisions of chapter 171 of title
21 28, United States Code, a volunteer under
22 this subtitle shall be considered to be a
23 Federal employee; and

24 “(ii) for the purposes of subchapter I
25 of chapter 81 of title 5, United States

1 Code, relating to compensation to Federal
2 employees for work injuries, volunteers
3 under this subtitle shall be considered to
4 be employees, as defined in section
5 8101(1)(B) of title 5, United States Code,
6 and the provisions of such subchapter shall
7 apply.

8 “(2) PROPERTY.—The Corporation may solicit,
9 accept, use, and dispose of, in furtherance of the
10 purposes of this Act, donations of any money or
11 property, real, personal, or mixed, tangible or intan-
12 gible, received by gift, devise, bequest, or otherwise.

13 “(3) RULES.—The Director shall establish writ-
14 ten rules setting forth the criteria to be used in de-
15 termining whether the solicitation or acceptance of
16 contributions of money or property, real, personal,
17 or mixed, tangible or intangible, received by gift, de-
18 vice, bequest, or otherwise (pursuant to paragraph
19 (2)) would reflect unfavorably upon the ability of the
20 Corporation or any employee of the Corporation to
21 carry out the responsibilities or official duties of the
22 Corporation in a fair and objective manner, or would
23 compromise the integrity of the programs of the
24 Corporation or any official involved in such pro-
25 grams.

for deduction

1 “(4) DISPOSITION.—Upon completion of the
2 use by the Corporation of any affected property,
3 such completion shall be reported to the General
4 Services Administration and such property shall be
5 disposed in accordance with title II of the Federal
6 Property and Administrative Services Act of 1949
7 (40 U.S.C. 471 et seq.).

8 “(b) TECHNICAL ASSISTANCE.—On the request of
9 the Director, the heads of other pertinent Federal agencies
10 shall provide, without reimbursement, such technical as-
11 sistance and administrative support services to the Cor-
12 poration as the Director determines to be necessary to
13 carry out the duties of the Corporation.

14 “(c) OBTAINING INFORMATION.—The Corporation
15 may secure directly from an officer, department, agency,
16 establishment, or instrumentality of the Federal Govern-
17 ment such information and statistics as the Corporation
18 may require to carry out the duties of the Corporation
19 under this Act, if the information may be disclosed under
20 section 552 of title 5, United States Code. Subject to the
21 previous sentence, on the request of the Director, each
22 such officer, department, agency, establishment, or instru-
23 mentality may furnish, to the extent permitted by law,
24 such information and statistics directly to the Corpora-
25 tion.

1 “(d) CONTRACTS.—Subject to the Federal Property
2 and Administrative Services Act of 1949, the Corporation
3 may enter into contracts, and cooperative and interagency
4 agreements, with Federal and State agencies, private
5 firms, institutions, and individuals to conduct activities
6 necessary to carry out the duties of the Corporation under
7 this Act.

8 **“PART II—CORPORATION PROGRAMS AND**
9 **ACTIVITIES**

10 **“SEC. 193. GRANTS.**

11 “(a) IN GENERAL.—The Director may make grants
12 to eligible entities to assist the entities in—

13 “(1) developing and establishing model or inno-
14 vative national service or community service pro-
15 grams; and

16 “(2) developing and providing training, provid-
17 ing technical assistance, collecting and disseminating
18 information, and conducting outreach effects, relat-
19 ing to national service or community service pro-
20 grams.

21 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
22 a grant under subsection (a), an entity shall be a public
23 or private nonprofit organization, an institution of higher
24 education, a State agency, or a local educational agency.

What is this?

1 “(c) APPLICATION.—To be eligible to receive a grant
2 under subsection (a), an entity shall submit an application
3 to the Director at such time, in such manner, and contain-
4 ing such information as the Director may require.

5 **“SEC. 193A. CLEARINGHOUSES.**

6 “The Corporation shall provide assistance to appro-
7 priate entities to establish one or more regional service
8 clearinghouses, including the clearinghouse described in
9 section 117N.

10 **“SEC. 193B. PRESIDENTIAL AWARDS FOR SERVICES.**

11 “(a) PRESIDENTIAL AWARDS.—

12 “(1) IN GENERAL.—The President, acting
13 through the Corporation, is authorized to make
14 Presidential Awards for service to—

15 “(A) individuals demonstrating outstand-
16 ing community service, including school-based
17 service;

18 “(B) outstanding service learning and com-
19 munity service programs; and

20 “(C) outstanding teachers in service-learn-
21 ing programs.

22 “(2) NUMBER OF AWARDS.—The President is
23 authorized to make one or more individual awards
24 under paragraph (1)(A), one or more teaching
25 awards under paragraph (1)(C), and one or more

CUT!
CHANGE!
HORRIBLE!

1 program awards under paragraph (1)(B), in each
2 Congressional district, and in each State.

3 “(3) CONSULTATION.—The President shall con-
4 sult with each Governor, and with the Board, in the
5 selection of individuals and programs for the Presi-
6 dential Awards.

7 “(4) PARTICIPANTS IN PROGRAMS.—An individ-
8 ual receiving an award under this subsection need
9 not be a participant in a program assisted under
10 this title.

11 “(5) NATURE OF AWARD.—[In making an
12 award under this section to an individual, the
13 President—

14 “(A) is authorized to incur necessary ex-
15 penses for the honorary recognition of the indi-
16 vidual; and

17 “(B) is not authorized to make a cash
18 award to such individual.]

19 “(b) INFORMATION.—The President shall ensure that
20 information concerning individuals and programs receiving
21 awards under this section is widely disseminated.”.

22 (b) AUTHORITIES OF ACTION AGENCY.—Sections
23 401 and 402 of the Domestic Volunteer Service Act of
24 1972 (42 U.S.C. 5041 and 5042) are repealed.

1 (c) TRANSFERS.—[Transfer provisions to be sup-
2 plied. This draft assumes that the transfer provisions will
3 include language transferring into the Corporation (in ad-
4 dition to the General Schedule, schedule A, schedule C,
5 and Executive Schedule employees of the Commission on
6 National and Community Service and the ACTION Agen-
7 cy), certain officers of the Commission and the ACTION
8 Agency into the Corporation, and the Board of Directors
9 of the Commission. The transfer will take effect October
10 1, 1993.]

11 (d) CONTINUING PERFORMANCE OF CERTAIN FUNC-
12 TIONS.—

13 (1) DIRECTOR OF THE ACTION AGENCY.—An
14 individual who, on the day before the date of enact-
15 ment of this Act, is performing any of the functions
16 required by section 401 or 402 of the Domestic Vol-
17 unteer Service Act of 1973 (42 U.S.C. 5041 or
18 5042), as in effect on such date, to be performed by
19 the Director of the ACTION Agency may, subject to
20 section 191D of the National and Community Serv-
21 ice Act of 1990, as added by subsection (a) of this
22 section, continue to perform such functions until the
23 date on which such functions are assigned to an in-
24 dividual appointed as a Managing Director under
25 such Act.

1 (2) BOARD OF DIRECTORS OF THE COMMIS-
2 SION.—

3 (A) EX OFFICIO MEMBERS.—Section
4 190(b)(1)(B) of the National and Community
5 Service Act of 1990 is amended to read as fol-
6 lows:

7 “(B) EX OFFICIO MEMBERS.—The Sec-
8 retary of Education, the Secretary of Health
9 and Human Services, the Secretary of Labor,
10 the Secretary of the Interior, the Secretary of
11 Agriculture, the Secretary of Housing and
12 Urban Development, and the Secretary of De-
13 fense shall serve as ex officio members of the
14 Board.”.

15 (B) EFFECTIVE DATE.—The amendment
16 made by subparagraph (A) shall take effect on
17 the date of enactment of this Act.

18 (C) CONTINUING PERFORMANCE.—The in-
19 dividuals who, on the day after the date of en-
20 actment of this Act, are performing any of the
21 functions required by section 190 of the Na-
22 tional and Community Service Act of 1990 (42
23 U.S.C. 12651), as in effect on such date, to be
24 performed by the members of the Board of Di-
25 rectors of the Commission on National and

*Change
Criteria
for membership?*

1 Community Service may, subject to section
2 191D of the National and Community Service
3 Act of 1990, as added by subsection (a) of this
4 section, continue to perform such functions
5 until the date on which such functions are as-
6 signed to the Board of Directors of the Cor-
7 poration for National Service. The employment
8 of such individuals shall terminate on such
9 date.

10 (e) TABLE OF CONTENTS.—

11 (1) ESTABLISHMENT AND APPOINTMENT AU-
12 THORITIES.—

13 (A) IN GENERAL.—Section 1(b) of the Na-
14 tional and Community Service Act of 1990 (42
15 U.S.C. 12401 note) is amended by striking the
16 item relating to section 190 of such Act and in-
17 serting the following:

“Sec. 190. Commission on National and Community Service.

“Sec. 191. Corporation for National Service.

“Sec. 191A. Board of Directors.

“Sec. 191C. Chairperson.”.

18 (B) EFFECTIVE DATE.—The amendments
19 made by paragraph (1) shall take effect on the
20 date of enactment of this Act.

21 (2) FULL AUTHORITIES.—

22 (A) IN GENERAL.—Section 1(b) of the Na-
23 tional and Community Service Act of 1990 (42

1 **SEC. 202. STATE COMMISSIONS ON NATIONAL SERVICE.**

2 (a) ESTABLISHMENT REQUIRED.—Subtitle F of title
3 I of the National and Community Service Act of 1990 is
4 amended by striking section 178 (42 U.S.C. 12638) and
5 inserting the following new section:

6 **“SEC. 178. ESTABLISHMENT OF STATE COMMISSIONS ON**
7 **NATIONAL SERVICE.**

8 “(a) ESTABLISHMENT REQUIRED.—To be eligible to
9 receive a grant or allotment under subtitles B, C, or E,
10 or to receive a distribution of approved national service
11 positions under subtitle D, a State shall establish a State
12 Commission on National Service that satisfies the require-
13 ments of this section.

14 “(b) APPOINTMENT AND SIZE.—Except as provided
15 in subsection (c)(2), the members of a State Commission
16 shall be appointed by the chief executive officer of the
17 State. A State Commission shall consist of 7-13 [num-
18 ber] of members.

19 “(c) COMPOSITION AND MEMBERSHIP.—

20 “(1) IN GENERAL.—_____ [number] of the
21 members of a State Commission shall be appointed
22 from among the following:

23 “(A) Representatives of ^{CBOs and non-}State agencies op-
24 erating community service, youth service, edu-
25 cation, social service, senior service, and job
26 training programs.

funding?

cut - good?

*(1) Denial of
(2) labor/hrs/
students
(3) experts in
field of...
change*

1 U.S.C. 12401 note) is amended by striking the
2 items relating to subtitle G of title I of such
3 Act and inserting the following:

“Subtitle G—Corporation for National Service

“PART I—ORGANIZATION

- “Sec. 191. Corporation for National Service.
- “Sec. 191A. Board of Directors.
- “Sec. 191B. Authorities and duties of the Board of Directors.
- “Sec. 191C. Chairperson.
- “Sec. 191D. Authorities and duties of the Chairperson.
- “Sec. 191E. Officers.
- “Sec. 191F. Employees, consultants, and other personnel.
- “Sec. 192. Administration.

“PART II—CORPORATION PROGRAMS AND ACTIVITIES

- “Sec. 193. Grants.
- “Sec. 193A. Clearinghouses.
- “Sec. 193B. Presidential awards for services.”.

4 (B) EFFECTIVE DATE.—The amendments
5 made by paragraph (3) shall take effect on Oc-
6 tober 1, 1993.

7 (f) EFFECTIVE DATES.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), the amendments made by subsections (a)
10 and (b) shall take effect on October 1, 1993.

11 (2) ESTABLISHMENT AND APPOINTMENT AU-
12 THORITIES.—Sections 191, 191A, and 191C of the
13 National and Community Service Act of 1990, as
14 added by subsection (a), shall take effect on the date
15 of enactment of this Act.

1 “(B) Representatives of labor, business,
2 agencies working with youth, community-based
3 organizations ~~(such as community action agen-~~
4 ~~cies)~~, ^{educators} students, ~~teachers~~, Older American Vol-
5 unteer Programs established under title II of
6 the Domestic Volunteer Act of 1973 (42 U.S.C.
7 5001 et seq.), ~~full-time~~ youth corps programs,
8 ~~school-based community service programs, high-~~
9 ~~er education institutions, local educational~~
10 ~~agencies, volunteer public safety organizations,~~
11 ~~educational partnership programs,~~ and other or-
12 ganizations working with volunteers.

experts...

13 “(2) CORPORATION REPRESENTATIVE.—The
14 representative of the Corporation designated under
15 section 134 for the State shall be a full voting mem-
16 ber of the State Commission.

17 “(3) MEMBERSHIP BALANCE.—To the extent
18 practicable, the chief executive officer of a State
19 shall ensure that the membership of the State Com-
20 mission is balanced according to race, ethnic back-
21 ground, age, and gender.

bipartisan

22 “(4) CHAIRPERSON.—The members of a State
23 Commission shall select one of the members to serve
24 as chairperson of the State Commission.

1 “(d) DUTIES OF A STATE COMMISSION.—The State
2 Commission shall be responsible for the following duties:

3 “(1) Preparation of the national service plan
4 for the State.

5 “(2) Preparation of the applications of the
6 State for assistance under subtitles C and E. ?

7 “(3) Assisting in the preparation of the applica-
8 tion of the State educational agency for assistance
9 under part I of subtitle B.

10 “(4) Preparation of the applications of the
11 State for the designation or allotment of national
12 service positions which include the post-service edu-
13 cational benefit under subtitle D as one the benefits
14 to be provided for service in the positions and dis-
15 tribution of any allotment of such positions received.

16 “(5) Administration of any national service pro-
17 grams proposed to be planned, established, operated,
18 expanded, or replicated directly by the State using
19 assistance provided under subtitles C or E.

20 “(6) Selection and placement of participants in
21 approved national service positions associated with
22 the programs described in paragraph (5).

23 “(7) Administration of any grant program pro-
24 posed to be conducted by the State using assistance

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135

1 provided under subtitles C and E, including over-
2 sight and evaluation of grant recipients.

3 “(8) Coordination of the activities described in
4 paragraphs (5) and (7) with similar national service
5 programs within the State.

6 “(9) Dissemination of information concerning
7 national service programs that receive assistance and
8 available approved national service positions.

9 “(10) Development of programs, training meth-
10 ods, curriculum materials, and other materials and
11 activities related to national service programs that
12 receive assistance.

13 “(e) APPROVAL OF STATE COMMISSION.—

14 “(1) SUBMISSION TO CORPORATION.—The ap-
15 plication of a State for a grant under section 121,
16 whether submitted to obtain the allotment of the
17 State under section 122(a) or a competitive grant,
18 shall include a description of—

19 “(A) the composition and membership of
20 the State Commission submitting the applica-
21 tion; and

22 “(B) the authority of the State Commis-
23 sion to administer any national service program
24 proposed to be planned, established, operated,
25 expanded, or replicated directly by the State or

State
clearinghouse?
advertising?
800-numbers?

1 any grant program proposed to be conducted by
2 the State using assistance provided under sec-
3 tion 121.

4 “(2) REJECTION.—The Corporation may reject
5 a State Commission and the application describing
6 the State Commission if the Corporation determines
7 that the composition and membership of the State
8 Commission does not comply with the requirements
9 of subsection (c) or that the State Commission is
10 not given sufficient authority to adequately admin-
11 ister the assistance provided under suction 121. If
12 the Corporation rejects a State Commission or appli-
13 cation under this paragraph, the Corporation shall
14 promptly notify the State of the reasons for the re-
15 jection.

16 “(3) SUBSEQUENT CHANGES.—This subsection
17 shall also apply to any change in the composition or
18 duties of a State Commission made after approval of
19 the Commission.”.

20 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
21 tional and Community Service Act of 1990 (Public Law
22 101-610; 104 Stat. 3127) is amended by striking the item
23 relating to section 178 and inserting the following new
24 item:

“Sec. 178. Establishment of State Commissions on National Service.”.

1 **SEC. 203. STATE NATIONAL SERVICE PLANS.**

2 (a) NATIONAL SERVICE PLANS REQUIRED.—Subtitle
3 F of title I of the National and Community Service Act
4 of 1990 is amended by inserting after section 178, as
5 amended by section 202, the following new section:

6 **“SEC. 178A. NATIONAL SERVICE PLAN FOR A STATE.**

7 “(a) PLAN REQUIRED.—In order for a State to be
8 eligible to receive a grant or allotment under subtitles B,
9 C, or E, or to receive a distribution of approved national
10 service positions under subtitle D, the State Commission
11 on National Service for that State shall prepare and sub-
12 mit to the Corporation a national service plan that satis-
13 fies the requirements of this section.

14 “(b) PURPOSE OF PLAN.—The purpose of the na-
15 tional service plan of a State is to describe—

16 “(1) the manner in which ^{and ends to which} the National Service
17 Commission of the State will use assistance provided
18 to the State under subtitles C or E or to the State
19 Commission under subtitle B; and

20 “(2) the manner in which ^{and ends to which} the National Service
21 Commission of the State will distribute those na-
22 tional service positions including the post-service
23 educational benefit under subtitle D that are award-
24 ed or allotted to the State under subtitle D.

25 “(c) SPECIFIC CONTENTS OF PLAN.—The national
26 service plan shall include the following:

1 “(1) A description of the number and type of
2 national service positions that the State Commission
3 proposes for designation as national service positions
4 which include the post-service educational benefit
5 under subtitle D,

6 “(2) A description of the manner in which the
7 State Commission proposes to distribute national
8 service positions which include the post-service edu-
9 cational benefit under subtitle D. including the per-
10 centage of such positions that will be retained by the
11 State and the percentage of such positions that will
12 be awarded to other entities.

13 “(3) A description of the system for ensuring
14 that recipients of grants from the State Commission
15 under subtitles B, C, D, or E comply with the provi-
16 sions of the applicable subtitle.

17 “(4) A description of the extent to which the
18 State proposes to make child care available for chil-
19 dren of individuals participating in national service
20 programs supported by the State using assistance
21 provided under subtitles C or E.

22 “(5) A description of the objectives, ^{and means} and per-
23 formance goals for the national service programs
24 proposed to be planned, established, operated, ex-
25 panded, or replicated directly by the State.

Overall
performance
goals +
measures.
==

- needs to
be met
- experience
of participants
=

Description of
past performance,
success/failure
wrtg goals.

1 “(6) A proposal for the certification of the
2 training skills acquired by participants, the awarding
3 of academic credit to participants for competency
4 developed through training programs or work experi-
5 ence obtained under the programs, and the inclusion
6 of an age-appropriate learning component for par-
7 ticipants that includes procedures that permit par-
8 ticipants to reflect on service experiences.

great.

9 “(7) A description of the geographical areas
10 within such State in which service will be performed
11 to provide the optimum match between the need for
12 services and the anticipated supply of participants.

13 “(8) A description of the facilities, quarters and
14 board (in the case of residential facilities), limited
15 and emergency medical care, transportation from ad-
16 ministrative facilities to work sites, accommodations
17 for individuals with disabilities, and other appro-
18 priate services, supplies, and equipment that will be
19 provided by the State.

20 “(9) A description of the basic standards of
21 work requirements, health, nutrition, sanitation, and
22 safety, and the manner that such standards shall be
23 enforced.

24 “(10) An assurance that, prior to the placement
25 of a participant with a national service program

1 planned, established, operated, expanded, or rep-
2 licated using assistance provided to the State under
3 subtitles C or E or to the State Commission under
4 subtitle B, the State Commission will consult with
5 any local labor organization representing employees
6 in the area who are engaged in the same or similar
7 work as that proposed to be carried out by the pro-
8 gram.

9 “(11) A description of formal social counseling
10 arrangements to be made available to participants. ?

11 “(12) A plan for ensuring that individuals do
12 not drop out of school for the purpose of participat-
13 ing in a national service program planned, estab-
14 lished, operated, expanded, or replicated using as-
15 sistance provided to the State under subtitles C or
16 E or to the State Commission under subtitle B.

17 “(13) A description of the procedures to be
18 used to assure that entities that do not receive as-
19 sistance or approved national service positions are
20 provided with information concerning the VISTA
21 program, the Civilian Community Corps, and the ?
22 programs established under title II of the Domestic
23 Volunteer Service Act of 1973 (42 U.S.C. 5001 et
24 seq.).

1 “(14) A description of the amount of State
2 funds to be expended in support of national service.

3 “(15) A plan for evaluating the success and ef-
4 ficiency of those national service programs proposed
5 to be planned, established, operated, expanded, or
6 replicated directly by the State or supported by
7 grants from the State using funds provided under
8 subtitles B, C, and E.

9 “(d) ~~SPECIAL REQUIREMENTS FOR STATE PRO-~~
10 GRAMS.—With respect to each national service program
11 proposed to be planned, established, operated, expanded,
12 or replicated directly by the State, the national service
13 plan shall include the following:

14 “(1) A description of the management and
15 funding the program, the types of projects to be car-
16 ried out, and the types and duration of training and
17 work experience to be provided.

18 “(2) An estimate of the number of participants
19 and supervisory staff necessary for the program, the
20 length of time that the services of such participants
21 and supervisory staff will be required, and the sup-
22 port services that will be required for such partici-
23 pants and supervisory staff.

24 “(3) A plan for the appointment and training
25 of the supervisory staff (including participants who

plan to
evaluate
all
programs.
responsibility
for monitoring
w/f/abund

Other issues
arise as
required

1 have displayed exceptional leadership qualities) and
2 to ensure the on-site presence of supervisory staff at
3 projects.

4 “(4) A plan for recruiting such participants,
5 including—

6 “(A) participants who are educationally
7 and economically disadvantaged youth, youth
8 with limited basic skills or learning disabilities,
9 homeless youth, youth with disabilities, youth
10 who are in foster care who are becoming too old
11 for foster care, and youth of limited English
12 proficiency; and

13 “(B) participants from diverse back-
14 grounds to the maximum extent practicable.

15 “(5) A plan to assign participants to projects as
16 near to the homes of such participants as is reason-
17 able and practicable.

18 “(e) SPECIAL REQUIREMENTS FOR GRANT PRO-
19 GRAMS.—With respect to any program to make grants to
20 applicants within the State under subtitles B, C, and E,
21 or to distribute approved national service positions to ap-
22 plicants within the State under subtitle D, the national
23 service plan shall include the following:

1 “(1) A description of the manner in which local
2 applicants will be selected, coordinated, and evalu-
3 ated.

4 “(2) A plan for recruiting participants ^{for?} ~~by~~ such ^{??}
5 local applicants, including—

6 —“(A) participants who are educationally
7 and economically disadvantaged youth, youth
8 with limited basic skills or learning disabilities,
9 homeless youth, youth with disabilities, youth
10 who are in foster care who are becoming too old
11 for foster care, and youth of limited English
12 proficiency; and

13 “(B) participants from diverse back-
14 grounds to the maximum extent practicable.

15 “(3) A plan under which the State will encour-
16 age cooperation among local applicants that are
17 awarded assistance or approved national service po-
18 sitions and the appropriate State job training coordi-
19 nating council established under the Job Training
20 and Partnership Act (29 U.S.C. 1501 et seq.).

21 “(4) An assurance that, prior to the placement
22 of a participant by a local applicant assisted by a
23 grant, the State will ensure that the local applicant
24 consults with each local labor organization rep-
25 resenting employees in the area who are engaged in

not
BC's
program!

1 the same or similar work as the work that is pro-
2 posed to be carried out by participants.

3 “(f) REVIEW AND APPROVAL OF PLAN.—The Cor-
4 poration shall review each national service plan submitted
5 under this section as part of its review of the grant or
6 allotment applications accompanying the plan. The Cor-
7 poration may reject a plan, and the applications accom-
8 panying the plan, if the Corporation determines that the
9 plan is insufficient in any of the descriptions or proposals
10 required to be included in the plan under subsections (c),
11 (d), and (e). The Corporation shall promptly notify the
12 applicant of the reasons for the rejection of the plan.”.

No — if
not enough
good done.
not go good
enough experience
for programs;

13 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
14 tional and Community Service Act of 1990 (Public Law
15 101–610; 104 Stat. 3127) is amended by inserting after
16 the item relating to section 178, as amended by section
17 202, and inserting the following new item:

“Sec. 178A. National service plan for a State.”.

18 **TITLE III—AUTHORIZATION OF** 19 **APPROPRIATIONS**

20 **SEC. 301. AUTHORIZATION.**

21 **[To be supplied. Language should include carryover**
22 **provisions and an advance funding provision similar to the**
23 **following:**

24 “(____) ADVANCE FUNDING.—

1 “(1) IN GENERAL.—In order to afford the re-
2 sponsible State, local, and Federal officers concerned
3 adequate notice of available Federal financial assist-
4 ance for programs under the [national service
5 Acts], appropriations for grants, contracts, or other
6 payments under any applicable program under such
7 Acts are authorized to be included in the appropria-
8 tion Act for the fiscal year preceding the fiscal year
9 for which the appropriations are available for obliga-
10 tion.

11 “(2) APPLICATION.—In order to effect a transi-
12 tion to the method of timing appropriation action
13 described in paragraph (1), paragraph (1) shall
14 apply notwithstanding that the initial application of
15 the paragraph under such program will result in the
16 enactment in the same year (whether in the same
17 appropriation Act or otherwise) of two separate ap-
18 propriations, one for the then current fiscal year and
19 one for the succeeding fiscal year.”.]

20 **TITLE IV—TECHNICAL AND** 21 **CONFORMING AMENDMENTS**

22 **SEC. 401. AMENDMENTS.**

23 **[To be supplied]**

Things to be written or rewritten

- * Special rule for agency applications (R)

Agencies should be eligible to receive federal funds:

(1) only when the agencies have attempted to use their own budgets to fund the requested programs (i.e., either by reprogramming existing funds or by requesting new ones -- this section should be ambiguous)

(2) for a period of three years, after which the agencies should find their own money.

- * Assistance criteria (S)

- * Kinds of assistance (S)

- * Pledge/contract for all participants (R)

The Corporation should be able to establish national standards of ethics and behavior for those performing national service, with reasonable systems of enforcement, and to require all participants to sign a contract, take a pledge, or do something else. Willingness to use the pledge, which could be augmented or altered locally in specific ways, should be a requirement for receiving funds.

- * General functions of corporation (S)

- * Awards section (R)

Change the awards section. No more "outstanding" -- just "a meaningful commitment to..." And under Number of Awards, the President should be authorized to make as many as he wants, everywhere.

- * Purposes (S/J)

- * "Challenge grants"

Reserve funds for provision on a matching basis to programs that achieve cash matches above some level. What would the matches be for?

Things to be researched

- * Rules for agencies contracting with each other (J)
- * OPM - average work week in federal government (J)
- * City Year - average work week (C)
- * State/federal division (all)
- * pp. 105-6. ED must supply language (J)
- * break out of Board powers vs. Chair powers (R)
- * right to sue (J)
- * Talk to Liz about IG (J)