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[National Service Trust Act-Discussion Drafts] [6]

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1 educational, environmental, or public safety
2 needs; and

3 “(F) professional corps programs described
4 in section 122(a)(8).

5 “(e) REJECTION OF STATE APPLICATIONS.—

6 “(1) NOTIFICATION OF STATE APPLICANTS.—If
7 the Corporation rejects an application submitted by
8 a State Commission under section 130 for funds de-
9 scribed in section 129(a)(1), the Corporation shall
10 promptly notify the State Commission of the reasons
11 for the rejection of the application.

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

21 “(3) REALLOTMENT.—The amount of any
22 State’s allotment under section 129(a) for a fiscal
23 year that the Corporation determines will not be
24 provided for that fiscal year shall be available for

1 distribution by the Corporation as provided in para-
2 graph (4) of such subsection.

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

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

5 “(a) IN GENERAL.—For purposes of this subtitle, an
6 individual shall be considered to be a participant in a na-
7 tional service program carried out using assistance pro-
8 vided under section 121 if the individual—

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

11 “(2) is selected by the program to serve in a po-
12 sition with the program;

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

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

19 “(5) has received a high school diploma or its
20 equivalent or agrees to obtain a high school diploma
21 or its equivalent and the individual did not drop out
22 of an elementary or secondary school to enroll in the
23 program; and

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

1 “(b) SPECIAL RULES FOR CERTAIN YOUTH PRO-
2 GRAMS.—An individual shall be considered to be a partici-
3 pant in a youth corps program described in section
4 122(a)(2) or a program described in section 122(a)(9)
5 that is carried out with assistance provided under section
6 121(a) if the individual

7 “~~is~~ satisfies the requirements specified in sub-
8 section (a), except paragraph (4) of such subsection.

9 ~~and~~ *is at least 16 - 25*

10 ~~“(9) is an out of school youth at the time the~~
11 ~~individual begins the term of service.~~

12 “SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-
13 PANTS.

14 “(a) SELECTION PROCESS.—Subject to subsection
15 (b) and section 131(f), the actual recruitment and selec-
16 tion of an individual to serve in a national service program
17 receiving assistance under section 121(a) ~~or (2)(b)~~ *or (2)(b)*

18 ~~Federal programs under section 121(f)(2)~~ or to
19 fill an approved national service position shall be con-
20 ducted by the State, subdivision of a State, Indian tribe,
21 public or private not-for-profit organization, institution of
22 higher education, Federal agency, or other entity to which
23 the assistance and approved national service positions are
24 provided.

“(b) NONDISCRIMINATION AND NONPOLITICAL SE-
LECTION OF PARTICIPANTS.—The recruitment and selec-
tion of individuals to serve in national service programs
receiving assistance under section 121 or to fill approved
national service positions shall be consistent with the re-
quirements of section 175.

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

12 available under title I of the Domestic Violence
 13 Act of 1973 (42 U.S.C. 4951). (d) SECOND TERM. - Acceptance
 into a program for a second
 term shall only be available

14 "e (a) NATIONAL LEADERSHIP POOL.— *Individuals who performed satisfactorily*
15 "(1) SELECTION AND TRAINING.— *From among* *in the first term of* *senior*

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

23 “(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In
24 selecting individuals to receive leadership training
25 under this subsection, the Corporation shall make

1 special efforts to select individuals who have served
2 in the Peace Corps. as VISTA volunteers. or as par-
3 ticipants in national service programs receiving as-
4 sistance under section 121.

5 “(3) ASSIGNMENT.—At the request of a pro-
6 gram that receives assistance under the national
7 service laws, the Corporation may assign an individ-
8 ual who receives leadership training under para-
9 graph (1) to work with the program in a leadership
10 position and carry out assignments not otherwise
11 performed by regular participants. An individual as-
12 signed to a program shall be considered to be a par-
13 ticipant of the program.

14 **“SEC. 139. TERMS OF SERVICE.**

15 “(a) IN GENERAL.—As a condition of receiving a na-
16 tional service education award under subtitle D, a partici-
17 pant in an approved national service position shall be re-
18 quired to perform full- or part-time national service for
19 at least one term of service specified in subsection (b).

20 “(b) TERM OF SERVICE.—

21 “(1) FULL-TIME SERVICE.—An individual per-
22 forming full-time national service in an approved na-
23 tional service position shall agree to participate in
24 the program sponsoring the position for not less

1 than 1,700 hours during a period of not less than
2 9 months and not more than 1 year.

3 "(2) PART-TIME SERVICE.—Except as provided
4 in paragraph (3), an individual performing part-time
5 national service in an approved national service posi-
6 tion shall agree to participate in the program spon-
7 soring the position for not less than 1,700 hours
8 during a period of not less than 1 year and not more
9 than 2 years.

10 "(3) REDUCTION IN HOURS OF PART-TIME
11 SERVICE.—The Corporation may reduce the number
12 of hours required to be served to successfully com-
13 plete part-time national service to a level determined
14 by the Corporation, except that any reduction in the
15 required term of service shall include a correspond-
16 ing reduction in the amount of any national service
17 educational award that may be available under sub-
18 title D with regard to that service.

19 "(c) RELEASE FROM COMPLETING TERM OF SERV-
20 ICE.—

21 "(1) RELEASE AUTHORIZED.—A recipient of
22 assistance under section 121~~12~~ ~~What about~~
23 ~~Federal programs that receive assistance~~
24 ~~under section 121(1)(2)~~ or a program sponsor-
25 ing an approved national service position may re-

1 lease a participant from completing a term of service
2 in the position for compelling personal circumstances
3 as demonstrated by the participant.

4 “(2) EFFECT OF RELEASE.—If the released
5 participant was serving in an approved national
6 service position, the participant may receive a por-
7 tion of the national service educational award cor-
8 responding to that service in the manner provided in
9 section 147(b).

10 **“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**
11 **PARTICIPANTS.**

12 “(a) PROVISION OF LIVING ALLOWANCE.—

13 “(1) LIVING ALLOWANCE PERMITTED.—Subject
14 to paragraph (3), a national service program carried
15 out using assistance provided under section 121
16 shall provide to each participant in the program a
17 living allowance in such an amount as may be estab-
18 lished by the program.

19 “(2) LIMITATION ON FEDERAL SHARE.—The
20 amount of the annual living allowance provided
21 under paragraph (1) that may be paid using assist-
22 ance provided under section 121 and using any other
23 Federal funds shall not exceed the lesser of—

24 “(A) 85 percent of the total average an-
25 nual subsistence allowance provided to VISTA

1 volunteers under section 105 of the Domestic
2 Volunteer Service Act of 1973 (42 U.S.C.
3 4955), and ^{plus related employment taxes} 85 of any
4 “(B) 85 percent of the annual living allow-
5 ance established by the national service pro-
6 gram involved. ^{plus related employment taxes}
7 “(3) MAXIMUM LIVING ALLOWANCE.—Except
8 as provided in subsection (b), the total amount of an
9 annual living allowance that may be provided to a
10 participant in a national service program shall not
11 exceed 200 percent of the average annual subsist-
12 ence allowance provided to VISTA volunteers under
13 section 105 of the Domestic Volunteer Service Act
14 of 1973 (42 U.S.C. 4955).
15 “(4) PRORATION OF ALLOWANCE.—The amount
16 provided as a living allowance under this subsection
17 shall be prorated in the case of a participant who is
18 authorized to serve a reduced term of service under
19 section 139(b)(3).
20 “(c) EXCEPTION FROM MAXIMUM LIVING ALLOW-
21 ANCE FOR CERTAIN ASSISTANCE.—A professional corps
22 program described in section 122(a)(8) that desires to
23 provide a living allowance in excess of the maximum allow-
24 ance authorized in subsection (a)(3) may still apply for
25 such assistance, except that—

1 “(1) any assistance provided to the applicant
2 under section 121(a) may not be used to pay for any
3 portion of the allowance:

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

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

11 “(c) HEALTH INSURANCE.—A State or other recipi-
12 ent of assistance under section 121 shall provide a basic
13 health care policy for each full-time participant in a na-
14 tional service program carried out or supported using the
15 assistance if the participant is not otherwise covered by
16 a health care policy. Not more than 85 percent of the cost
17 of a premium shall be provided by the Corporation, with
18 the remaining cost paid by the entity receiving assistance
19 under section 121. The Corporation shall establish mini-
20 mum standards that all plans must meet in order to qual-
21 ify for payment under this part, any circumstances in
22 which an alternative health care policy may be substituted
23 for the basic health care policy, and mechanisms to pro-
24 hibit participants from dropping existing coverage.

25 “(d) CHILD CARE.—

1 “(1) AVAILABILITY.—A State or other recipient
2 of assistance under section 121 ^{a or b shall} ~~shall~~—

3 “(A) make child care available for children
4 of each full-time participant who serves in a na-
5 tional service program carried out or supported
6 by the recipient using the assistance, including
7 individuals who need such child care in order to
8 participate in the program; or

9 “(B) provide a child care allowance to each
10 full-time participant in a national service pro-
11 gram who needs such assistance in order to
12 participate in the program.

13 “(2) GUIDELINES.—The Corporation shall es-
14 tablish guidelines regarding the circumstances under
15 which child care must be made available under this
16 subsection and the value of any allowance to be pro-
17 vided.

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

19 “(a) ELIGIBILITY GENERALLY.—A participant in a
20 national service program carried out using assistance pro-
21 vided to an applicant under section 121 shall be eligible
22 for the national service educational award described in
23 subtitle D if the participant—

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

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

4 “(b) SPECIAL RULE FOR VISTA VOLUNTEERS.—A
5 VISTA volunteer who serves in an approved national serv-
6 ice position shall be ineligible for a national service edu-
7 cational award if the VISTA volunteer accepts the stipend
8 authorized under section 105(a)(1) of the Domestic Volun-
9 teer Service Act of 1973 (42 U.S.C. 4955(a)(1)).”.

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

“Subtitle C—National Service Trust Program

“PART I—INVESTMENT IN NATIONAL SERVICE

“Sec. 121. Authority to provide assistance and approved national service posi-
tions.

“Sec. 122. Types of national service programs eligible for program assistance.

“Sec. 123. Types of national service positions eligible for approval for national
service educational awards.

“Sec. 124. Types of program assistance.

“Sec. 125. Training and technical assistance.

“Sec. 126. Other special assistance.

“PART II—APPLICATION AND APPROVAL PROCESS

“Sec. 129. Provision of assistance and approved national service positions by
competitive and other means.

“Sec. 130. Application for assistance and approved national service positions.

“Sec. 131. National service program assistance requirements.

“Sec. 132. Ineligible service categories.

“Sec. 133. Consideration of applications.

“PART III—NATIONAL SERVICE PARTICIPANTS

“Sec. 137. Description of participants.

"Sec. 138. Selection of national service participants.
"Sec. 139. Required terms of service of national service participants.
"Sec. 140. Living allowances for national service participants.
"Sec. 141. National service educational awards."

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

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

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

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

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

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

21 "(2) any amounts received by the Corporation
22 as gifts, bequests, devise, or otherwise pursuant to
23 section 192(a)(2); and

1 “(3) the interest on, and proceeds from the sale
2 or redemption of, any obligations held by the Trust

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

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

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

23 “(1) specify the amount deposited to the Trust
24 from the most recent appropriation to the Corpora-
25 tion, the amount received by the Corporation as gifts

1 or bequest during the period covered by the report.
2 and any amounts obtained by the Trust pursuant to
3 subsection (a)(3);

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

7 “(3) identify the number of individuals whose
8 ability to claim national service educational awards
9 during the period covered by the report—

10 “(A) has been reduced pursuant to section
11 147(b); or

12 “(B) has lapsed pursuant to section
13 146(d); and

14 “(4) estimate the number of additional ap-
15 proved national service positions which the Corpora-
16 tion will be able to make available under subtitle C
17 on the basis of any accumulated surplus in the
18 Trust above the amount required to provide national
19 service educational awards to individuals identified
20 under paragraph (2), including any amounts avail-
21 able as a result of the circumstances referred to in
22 paragraph (3).

1 **"SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL**
2 **SERVICE EDUCATIONAL AWARD FROM THE**
3 **TRUST.**

4 “(a) **ELIGIBLE INDIVIDUALS.**—An individual shall
5 receive a national service educational award from the Na-
6 tional Service Trust if the individual—

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

10 “(2) was 17 years of age or older at the time
11 the individual began serving in the approved na-
12 tional service position or was an out-of-school youth
13 serving in an approved national service position with
14 a youth corps program described in section
15 122(a)(2) or a program described in section
16 122(a)(9);

17 “(3) has received a high school diploma, or the
18 equivalent of such diploma, at the time the individ-
19 ual uses the national service educational award; and

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

22 “(b) **TERM OF SERVICE.**—The term of service for an
23 approved national service position shall not be less than
24 the full- or part-time term of service specified in section
25 139(b).

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

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

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

16 “(2) EXCEPTION.—The Corporation may ex-
17 tend the period within which an individual may use
18 a national service educational award if the Corpora-
19 tion determines that the individual—

20 “(A) was unavoidably prevented from
21 using the national service educational award
22 during the original 5-year period; or

23 “(B) performed another term of service in
24 an approved national service position during
25 that period.

1 **"SEC. 147. DETERMINATION OF THE AMOUNT OF THE NA-**
2 **TIONAL SERVICE EDUCATIONAL AWARD.**

3 “(a) AMOUNT GENERALLY.—Except as provided in
4 subsection (b), an individual described in section 146(a)
5 who successfully completes a required term of service in
6 an approved national service position shall receive a na-
7 tional service educational award having a value equal to
8 ^{5,000}~~\$2,000~~ for each of not more than 2 of such terms of serv-
9 ice.

10 “(b) AWARD FOR PARTIAL COMPLETION OF SERV-
11 ICE.—If an individual serving in an approved national
12 service position is released in accordance with section
13 139(c)(1) from completing the term of service agreed to
14 by the individual, the Corporation may provide the individ-
15 ual with that portion of the national service educational
16 award approved for the individual that corresponds to the
17 quantity of the term of service actually completed by the
18 individual.

19 **"SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDU-**
20 **CATIONAL AWARDS.**

21 “(a) IN GENERAL.—Amounts in the Trust shall be
22 available—

23 “(1) to repay student loans in accordance with
24 subsection (b);

- 1 “(2) to pay all or part of the cost of attendance
2 at an institution of higher education in accordance
3 with subsection (c); and
4 “(3) to pay expenses incurred in participating
5 in an ^{approved school-to-work} ~~apprenticeship~~ program in accordance with
6 subsection (d).

**[Note: Forbearance language to be
added.]** *see next page*

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

“(1) APPLICATION BY ELIGIBLE INDIVIDUALS.—An eligible individual under section 146 who desires to apply his or her national service educational award to the repayment of qualified student loans shall submit, in a manner prescribed by the Corporation, an application to the Corporation that—

“(A) identifies, or permits the Corporation to identify readily, the holder or holders of such loans;

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

“(C) contains or is accompanied by such other information as the Corporation may require.

“(2) DISBURSEMENT OF REPAYMENTS.—Upon receipt of an application from an eligible individual of an application that complies with paragraph (1), the Corporation shall, as promptly as practicable consistent with paragraph (5), disburse the amount of the national service educational award to which the eligible individual is entitled. Such disbursement shall be made by check or other means that is payable to the holder of the loan and requires the endorsement or other certification by the eligible individual.

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

“(4) REPORTS BY HOLDERS.—Any holder receiving a loan payment pursuant to this subsection shall submit to the Corporation such information as the Corporation may require to verify that such payment was applied in accordance with this subsection

and any regulations prescribed to carry out this subsection.

“(5) AUTHORITY TO AGGREGATE PAYMENTS.—

The Corporation may, by regulation, provide for the aggregation of payments to holders under this subsection.

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

“(A) any loan made, insured, or guaranteed pursuant to title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), other than a loan to a parent of a student pursuant to section 428B of such Act (20 U.S.C. 1078-2);

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

~~“(C) [other - to be supplied]~~ 

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

~~“(8) [other - to be supplied]”~~

“(c) USE OF EDUCATIONAL AWARDS TO PAY CURRENT EDUCATIONAL EXPENSES.—

“(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—

An eligible individual under section 146 who desires to apply his or her national service educational award to the payment of current educational expenses shall, on a form prescribed by the Corporation, submit an application to the institution of higher education in which the student will be enrolled that contains such information as the Corporation may require to verify the individual's eligibility.

“(2) SUBMISSION OF REQUESTS FOR PAYMENT BY INSTITUTIONS.—An institution of higher education that receives one or more applications that comply with paragraph (1) shall submit to the Corporation a statement, in a manner prescribed by the Corporation, that—

“(A) identifies each eligible individual filing an application under paragraph (1) for a disbursement of the individual's national service educational award under this subsection;

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

graph (6), qualified for disbursement under this subsection:

“(C) certifies that (i) the institution of higher education has in effect a program participation agreement under section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094), and (ii) the institution’s eligibility to participate in any of the programs under title IV of such Act (20 U.S.C. 1070 et seq.) has not been limited, suspended, or terminated; and

“(D) contains such provisions concerning ~~financial compliance~~ as the Corporation may require.

“(3) DISBURSEMENT OF PAYMENTS.—Upon receipt of a statement from an institution of higher education that complies with paragraph (2), the Corporation shall, subject to paragraph (4), disburse the total amount of the national service educational awards for which eligible individuals who have submitted applications to that institution under paragraph (1) are qualified. Such disbursement shall be made by check or other means that is payable to the institution and requires the endorsement or other certification by the eligible individual.

“(4) MULTIPLE DISBURSEMENTS REQUIRED.—

The total amount required to be disbursed to an institution of higher education under paragraph (3) for any period of enrollment shall be disbursed by the Corporation in 2 or more installments, none of which exceeds $\frac{1}{2}$ of such total amount. The interval between the first and second such installment shall not be less than $\frac{1}{2}$ of such period of enrollment, except as necessary to permit the second installment to be paid at the beginning of the second semester, quarter, or similar division of such period of enrollment.

“(5) REFUND RULES.—The Corporation shall, by regulation, provide for the refund to the Corporation (and the crediting to the national service educational award of an eligible individual) of amounts disbursed to institutions for the benefit of eligible individuals who withdraw or otherwise fail to complete the period of enrollment for which the assistance was provided. Such regulations shall be consistent with the fair and equitable refund policies required of institutions pursuant to section 484B of the Higher Education Act of 1965 (20 U.S.C. 1091b). Amounts refunded to the Trust pursuant to this paragraph may be used by the Corporation to fund

additional approved national service positions under subtitle C.

~~“(6) MAXIMUM AWARD.—The portion of an eligible individual’s total available national service educational award that may be disbursed under this subsection for any period of enrollment shall not exceed the difference between—~~

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~~“(A) the eligible individual’s cost of attendance for such period of enrollment, determined in accordance with section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087u); and~~

~~“(B) the sum of (i) the student’s estimated financial assistance for such period for purposes of title IV of such Act (20 U.S.C. 1070 et seq.), and (ii) the student’s veterans’ education benefits, determined in accordance with section 480(c) of such Act (20 U.S.C. 1087vv(c)).~~

~~“(7) [Other to be supplied].—~~

~~“(d) USE OF EDUCATIONAL AWARD TO PARTICI-
PATE IN ~~APPRENTICESHIP~~ PROGRAMS.—The Corporation
shall by regulation provide for the payment of national
service educational awards to permit eligible individuals
to participate in ~~recognized and approved apprenticeship~~
programs. ~~Such regulations shall~~~~

*approved school-to-work
approved by the Secretaries of Labor and Education*

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

See next page
~~over~~

~~“(e) GENERAL ADMINISTRATIVE PROVISIONS.—~~

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

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

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

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the items relating to subtitle D of title I of such Act and inserting the following new items:

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

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

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

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

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

1 (c) CONFORMING AMENDMENTS.—

2 (1) IMPACT ON ELIGIBILITY FOR SUBSIDIZED
3 STAFFORD LOANS.—Section 428(a)(2)(C)(i) of the
4 Higher Education Act of 1965 (20 U.S.C.

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1 ~~experienced or will experience an economic hardship, regardless~~
2 ~~of the reason for such hardship.~~

3 "(f) FORBEARANCE.--(1)(A) A borrower of a loan made under
4 this part shall be eligible for forbearance, as defined in
5 subparagraph (B), which shall be granted by the Secretary ^{of Educa.} if
6 Secretary ^{determines} that the borrower is willing but unable to
7 make scheduled loan payments.

8 "(B) The term "forbearance" means permitting the
9 temporary cessation of payments, allowing an extension of time
10 for making payments, or temporarily accepting smaller payments
11 than previously scheduled. Interest shall continue to accrue on
12 a loan for which a borrower receives forbearance and shall be
13 capitalized or paid by the borrower.

14 "(2)(A) A borrower of a loan made under this part who
15 is serving in a national service position, for which he or she
16 receives a national service educational award under the National
17 Service Trust Act of 1993, shall be eligible for forbearance
18 granted by the Secretary during periods in which the borrower is
19 serving in such position.

20 "(B) For purposes of this paragraph,
21 'forbearance' shall mean the temporary cessation of payments
22 unless the borrower selects another option described in paragraph
23 (1)(B).

24 "(g) FEDERAL DIRECT CONSOLIDATION LOANS.--A borrower of a
25 loan made under this part may only consolidate such loan with the

Would the Corporation have the ability to repay interest
in addition to \$5,000 educational award?

Jack Lew fax

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1 is terminable by the Secretary upon 30 days notice to the
2 contracting parties if the Secretary determines that such
3 contract includes an impermissible transfer of the reserve funds
4 or assets, or is otherwise inconsistent with the terms or
5 purposes of this section."

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TERMS OF LOANS

8 SEC. 213. Section 428 of the Act is amended--

9 (1) in subsection (b)(1)--

10 (A) in subparagraph (D), by striking out "be
11 subject to" through the end thereof and inserting in lieu thereof
12 the following: "be subject to income contingent repayment in
13 accordance with subsection (m)";

14 (B) by redesignating subparagraphs (W), (X), and
15 (Y) as subparagraphs (X), (Y), and (Z), respectively; and

16 (C) by inserting immediately after subparagraph
17 (V) the following new subparagraph:

18 "(W)(i) provides that, upon written request, a
19 lender shall grant a borrower forbearance on such terms as are
20 otherwise consistent with the regulations of the Secretary,
21 during periods in which the borrower is serving in a national
22 service position, for which he or she receives a national service
23 educational award under the National Service Trust Act of 1993;

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"(ii) provides that clauses (iii) and (iv) of subparagraph (V) shall also apply to a forbearance granted under this subparagraph; and

"(iii) provides that interest shall continue to accrue on a loan for which a borrower receives forbearance under this subparagraph and shall be capitalized or paid by the borrower;"

(2) in subsection (c)(3)(A), by striking out "subsection (b)(1)(V)" through the end thereof and inserting in lieu thereof the following: "subsections (b)(1)(V) and (W)"; and

(3) in subsection (m)--

(A) by amending paragraph (1) to read as follows:

"(1) The Secretary may require any borrower who has defaulted on a loan made under this part that is assigned to the Secretary under subsection (c)(8) to repay that loan under an income contingent repayment plan, the terms and conditions of which shall be established by the Secretary and the same as, or similar to, the EXCEL Account established for purposes of part D of this title."

(B) by striking out paragraphs (2) and (4);

(C) by amending paragraph (3) to read as follows:

"(3) LOANS FOR WHICH INCOME CONTINGENT REPAYMENT MAY BE REQUIRED.--A loan made under this part may be required to be repaid under this section if the note or other evidence of the

1(c) Forbearance Payments. - The Corporation ~~may~~ ~~shall~~ provide by regulation for the payment of interest that accrues during a period for which an eligible ~~and~~ individual ^{has} ~~qualified~~ ^{obtained} for forbearance ~~for~~ ⁱⁿ the repayment of a qualified student loan (as defined in subsection (b)(6)), if the eligible individual successfully completes the required term of service (as determined under ~~such~~ section 146 (b)). Such regulations shall be prescribed after consultation with The Secretary of Education. ~~In prescribing~~ Such regulations, ~~The Corporation~~ shall ~~not~~ be designed to provide an equitable distribution of the benefits under this subsection among eligible individuals, taking into account their relative need for such benefits.

1 1078(a)(2)(C)(i)) is amended by inserting after
2 “parts C and E of this title.” the following: “any na-
3 tional service educational award such student will re-
4 ceive under subtitle D of title I of the National and
5 Community Service Act of 1990 (42 U.S.C. 12751
6 et seq.),”.

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

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

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

23 “(5) INELIGIBILITY OF NATIONAL SERVICE
24 EDUCATIONAL AWARD RECIPIENTS.—No student
25 borrower may, for the same volunteer service, receive

1 a benefit under both this section and subtitle D of
2 title I of the National and Community Service Act
3 of 1990 (42 U.S.C. 12751 et seq.).”.

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

9 “(6) No borrower may, for the same volunteer
10 service, receive a benefit under both this section and
11 subtitle D of title I of the National and Community
12 Service Act of 1990 (42 U.S.C. 12751 et seq.).”.

13 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**
14 **ICE-LEARNING PROGRAMS.**

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

16 (1) PURPOSE.—The purpose of this subsection
17 is to improve the Serve-America programs estab-
18 lished under part I of subtitle B of the National and
19 Community Service Act of 1990, and to enable the
20 Corporation for National Service, and the entities
21 receiving financial assistance under such part, to—

22 (A) work with teachers in elementary
23 schools and secondary schools within a commu-
24 nity, and with community-based agencies, to

1 create and offer service-learning opportunities
2 for all school-age youth;

3 (B) educate teachers, and faculty providing
4 teacher training and retraining, about service-
5 learning, and incorporate service-learning op-
6 portunities into classroom teaching to strength-
7 en academic learning;

8 (C) coordinate the work of adult volunteers
9 who work with elementary and secondary
10 schools as part of their community service ac-
11 tivities; and

12 (D) work with employers in the commu-
13 nities to ensure that projects introduce the stu-
14 dents to various careers and expose the stu-
15 dents to needed further education and training.

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

1 **“Subtitle B—School-Based and**
2 **Community-Based Service-**
3 **Learning Programs**

4 **“PART I—SERVE-AMERICA PROGRAMS**

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

6 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**
7 **TRIBES.**

8 “(a) USE OF FUNDS.—The Corporation, in consulta-
9 tion with the Secretary of Education, may make grants
10 under section 112(b)(1), and allotments under subsections
11 (a) and (b)(2) of section 112, to States and Indian tribes
12 to pay for the Federal share of—

13 “(1) planning and building the capacity of the
14 States or Indian tribes (which may be accomplished
15 through grants or contracts with qualified organiza-
16 tions) to implement school-based service-learning
17 programs, including—

18 “(A) providing training for teachers, su-
19 pervisors, personnel from community-based
20 agencies (particularly with regard to the utiliza-
21 tion of participants), and trainers, to be con-
22 ducted by qualified individuals or organizations
23 that have experience with service-learning;

24 “(B) developing service-learning curricula
25 to be integrated into academic programs, in-

1 cluding the age-appropriate learning component
2 described in section 114(d)(5)(B);

3 “(C) forming local partnerships described
4 in paragraph (2) or (4) to develop school-based
5 service-learning programs in accordance with
6 this subpart;

7 “(D) devising appropriate methods for re-
8 search and evaluation of the educational value
9 of service-learning and the effect of service-
10 learning activities on communities; and

11 “(E) establishing effective outreach and
12 dissemination of information to ensure the
13 broadest possible involvement of community-
14 based agencies with demonstrated effectiveness
15 in working with school-age youth in their com-
16 munities;

17 “(2) implementing, operating, or expanding
18 school-based service-learning programs, which may
19 include paying for the cost of the recruitment, train-
20 ing, supervision, placement, salaries, and benefits of
21 service-learning coordinators, through State distribu-
22 tion of Federal funds made available under this sub-
23 part to projects operated by local partnerships
24 among—

25 “(A) local educational agencies; and

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

3 “(i) shall include a public or private
4 not-for-profit organization that will make
5 projects available for participants, who
6 shall be students; and

7 “(ii) may include a private for-profit
8 business or private elementary or second-
9 ary school;

10 “(3) planning of school-based service-learning
11 programs through State distribution of Federal
12 funds made available under this subpart to local
13 educational agencies, which planning may include
14 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 national service educational
21 award under subtitle D,

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

1 “(4) implementing, operating, or expanding
2 school-based service-learning programs involving
3 adult volunteers to utilize service-learning to improve
4 the education of students through State distribution
5 of Federal funds made available under this part to
6 local partnerships among—

7 “(A) local educational agencies; and

8 “(B) one or more—

9 “(i) public or private not-for-profit or-
10 ganizations;

11 “(ii) other educational agencies; or

12 “(iii) private for-profit businesses,

13 that coordinate and operate projects for participants,
14 who shall be students.

15 “(b) DUTIES OF SERVICE-LEARNING COORDINA-
16 TOR.—A service-learning coordinator referred to in para-
17 graph (2) or (3) of subsection (a) shall provide services
18 to a local educational agency by—

19 “(1) expanding the awareness of teachers of the
20 potential of service-learning in strengthening the
21 educational achievement, leadership development,
22 and substantive learning, of students;

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

1 “(3) assisting local partnerships describe
2 subsection (a) in the planning, development
3 execution of service-learning projects;

4 “(4) recruiting and supervising adult vol-
5 unteers, or individuals who are participants in a pro-
6 gram under subtitle C or receive a national service
7 educational award under subtitle D, to expand serv-
8 ice-learning opportunities; and

9 “(5) coordinating the activities of the service-
10 learning coordinator with the activities of the com-
11 mittee described in section 114(d)(1), and, where
12 appropriate, assisting the committee.

13 “(c) RELATED EXPENSES.—A partnership, local edu-
14 cational agency, or other qualified organization that re-
15 ceives financial assistance under this subpart may, in car-
16 rying out the activities described in subsection (a), use
17 such assistance to pay for the Federal share of reasonable
18 costs related to the supervision of participants, program
19 administration, transportation, insurance, evaluations,
20 and for other reasonable expenses related to the activities.

21 **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**
22 **NONPARTICIPATING STATES.**

23 “‘In any fiscal year in which a State does not [submit
24 an application under section 113, for an allotment under
25 subsection (a) or (b)(2) of section 112, that meets the re-

1 quirements of section 113 and such other requirements
2 as the Chairperson may determine to be appropriate]
3 [final decision on wording should be reflected in subtitle
4 C as well], the Corporation may use the allotment of that
5 State to make direct grants to pay for the Federal share
6 of the cost of—

7 “(1) carrying out the activities described in
8 paragraph (2) or (4) of section 111(a), to a local
9 partnership described in such paragraph; or

10 “(2) carrying out the activities described in
11 paragraph (3) of such section, to an agency de-
12 scribed in such paragraph,
13 that is located in the State.

14 **“SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
15 **NOT-FOR-PROFIT ORGANIZATIONS.**

16 “(a) IN GENERAL.—The Corporation may make a
17 grant under section 112(b)(1) to a public or private not-
18 for-profit organization that—

19 “(1) has experience with service-learning;

20 “(2) was in existence 1 year before the date on
21 which the organization submitted an application
22 under section 114(a); and

23 “(3) meets such other criteria as the Chair-
24 person may establish.

1 “(b) USE OF FUNDS.—Such an organization may use
2 a grant made under subsection (a) to make grants to part-
3 nerships described in section 111(a)(2) to implement, op-
4 erate, or expand school-based service-learning programs as
5 described in such section and provide technical assistance
6 and training [to appropriate persons].

7 “SEC. 112. GRANTS AND ALLOTMENTS.

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

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

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

1 “(A) State educational agencies and Indian
2 tribes; or

3 “(B) as described in section 111B. to
4 grantmaking entities.

5 “(2) ALLOTMENTS.—

6 “(A) SCHOOL-AGE YOUTH.—Except as pro-
7 vided in paragraph (3), from [37.5 percent] of
8 such funds, the Corporation shall allot to each
9 State an amount that bears the same ratio to
10 [37.5 percent] of such funds as the number of
11 school-age youth in the State bears to the total
12 number of school-age youth of all States.

13 “(B) ALLOCATION UNDER ELEMENTARY
14 AND SECONDARY EDUCATION ACT OF 1965.—
15 Except as provided in paragraph (3), from
16 [37.5 percent] of such funds, the Corporation
17 shall allot to each State an amount that bears
18 the same ratio to [37.5 percent] of such funds
19 as the allocation to the State for the previous
20 fiscal year under chapter 1 of title I of the Ele-
21 mentary and Secondary Education Act of 1965
22 (20 U.S.C. 2711 et seq.) bears to such alloca-
23 tions to all States.

24 “(3) MINIMUM AMOUNT.—No State shall re-
25 ceive, under paragraph (2), an allotment that is less

1 than the allotment such State received for fiscal year
2 1993 under section 112(b) of this Act, as in effect
3 on the day before the date of enactment of this part.
4 If the amount of funds made available in a fiscal
5 year to carry out paragraph (2) is insufficient to
6 make such allotments, the Corporation shall make
7 available sums from the [25 percent] described in
8 paragraph (1) for such fiscal year to make such al-
9 lotments.

10 “(4) DEFINITION.—Notwithstanding section
11 101(25), for purposes of this subsection, the term
12 ‘State’ means each of the several States, the District
13 of Columbia, the Commonwealth of Puerto Rico, and
14 an Indian tribe.

15 “(c) REALLOTMENT.—If the Corporation determines
16 that the allotment of a State or Indian tribe under this
17 section will not be required for a fiscal year because the
18 State or Indian tribe does not [submit an application for
19 the allotment under section 113 that meets the require-
20 ments of such section and such other requirements as the
21 Chairperson may determine to be appropriate], the Cor-
22 poration shall, after making any grants under section
23 111A to a partnership or agency described in such section,
24 make any remainder of such allotment available for real-
25 lotment to such other States, and Indian tribes, with ap-

1 proved applications submitted under section 113, as the
2 Corporation may determine to be appropriate.

3 “(d) EXCEPTION.—Notwithstanding subsections (a)
4 and (b), if less than \$20,000,000 is appropriated for any
5 fiscal year to carry out this subpart, the Corporation shall
6 award grants to States and Indian tribes, from the
7 amount so appropriated, on a competitive basis to pay for
8 the Federal share of the activities described in section 111.

9 **“SEC. 113. STATE OR TRIBAL APPLICATIONS.**

10 “(a) SUBMISSION.—To be eligible to receive a grant
11 under section 112(b)(1), an allotment under subsection
12 (a) or (b)(2) of section 112, a reallocation under section
13 112(c), or a grant under section 112(d), a State, acting
14 through the State educational agency, or an Indian tribe,
15 shall prepare, submit to the Corporation, and obtain ap-
16 proval of, an application at such time and in such manner
17 as the Chairperson may reasonably require.

18 “(b) CONTENTS.—An application that is submitted
19 under subsection (a) with respect to service-learning pro-
20 grams described in section 111 shall include—

21 “(1) a 3-year strategic plan [, or a revision of
22 a previously approved 3-year strategic plan,] for
23 promoting service-learning through the programs,
24 which plan shall contain such information as the
25 Chairperson may reasonably require, such as—

1 “(A) a description of the goals to be at-
2 tained in promoting service-learning through
3 such programs;

4 “(B) a description of the resources and or-
5 ganization needed to achieve the goals of such
6 programs within elementary schools and second-
7 ary schools; and

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

10 “(i) such programs and the activities
11 to be carried out under such programs re-
12 late to the goals described in subparagraph
13 (A); and

14 “(ii) the applicant will evaluate the
15 success of the programs and the extent of
16 community involvement in the programs,
17 and measure the extent to which the pro-
18 grams meet the goals described in subpara-
19 graph (A);

20 “(iii) the applicant has ranked appli-
21 cations submitted under section 114(c) ac-
22 cording to the criteria described in section
23 115(b), and in a manner that ensured the
24 equitable treatment of all such applica-
25 tions;

1 “(iv) the programs will be coordinated
2 with—

3 “(I) the education reform efforts
4 of the applicant;

5 “(II) other efforts to meet the
6 National Education Goals;

7 “(III) other service activities in
8 the State or serving the Indian tribe;
9 and

10 “(IV) other education programs,
11 training programs, social service pro-
12 grams, and appropriate programs that
13 serve school-age youth, that are au-
14 thorized under Federal law;

15 “(v) the applicant will disseminate in-
16 formation, conduct outreach, and take
17 other measures, to encourage cooperative
18 efforts among the local educational agen-
19 cies, local government agencies, commu-
20 nity-based agencies, State agencies, and
21 private for-profit businesses that will carry
22 out the service-learning programs proposed
23 by the applicant, to develop and provide
24 projects, including those that involve the

1 participation of urban, suburban, and rural
2 students working together;

3 “(vi) the applicant will promote ap-
4 propriate projects in such programs for
5 economically disadvantaged students, stu-
6 dents with limited basic skills, students in
7 foster care who are becoming too old for
8 foster care, students of limited-English
9 proficiency, homeless students, and stu-
10 dents with disabilities;

11 “(vii) service-learning training and
12 technical assistance will be provided
13 through the programs—

14 “(I) to State and local edu-
15 cational agency personnel, federally
16 assisted education specialists in the
17 State or serving the Indian tribe, and
18 local recipients of grants under this
19 subpart, to raise the awareness of
20 service-learning among such person-
21 nel, specialists, and recipients; and

22 “(II) by qualified and experi-
23 enced individuals employed by the
24 State or Indian tribe or through

1 grants or contracts with such individ-
2 uals;

3 "(viii) a service-learning network will
4 be established for the State or Indian
5 tribe, comprised of expert teachers and ad-
6 ministrators who have carried out success-
7 ful service-learning activities within the
8 State or serving the Indian tribe; and

9 "(ix) the applicant will use payments
10 from sources described in section
11 116(a)(2)(B) to expand projects for stu-
12 dents through the programs proposed by
13 the applicant;

14 "(2) assurances that—

15 "(A) the applicant will keep such records
16 and provide such information to the Corpora-
17 tion with respect to the programs as may be re-
18 quired for fiscal audits and program evaluation;
19 and

20 "(B) the applicant will comply with the
21 nonduplication and nondisplacement require-
22 ments of section 177; and

23 "(3) such additional information as the Chair-
24 person may reasonably require.

1 **"SEC. 114. LOCAL APPLICATIONS.**

2 “(a) APPLICATION TO CORPORATION TO MAKE
3 GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PRO-
4 GRAMS.—

5 “(1) IN GENERAL.—To be eligible to receive a
6 grant in accordance with section 111B(a) to make
7 grants relating to school-based service-learning pro-
8 grams described in section 111(a)(2), a grantmaking
9 entity shall prepare, submit to the Corporation, and
10 obtain approval of, an application.

11 “(2) SUBMISSION.—Such application shall be
12 submitted at such time and in such manner, and
13 shall contain such information, as the Chairperson
14 may reasonably require. Such application shall in-
15 clude a proposal to assist such programs in more
16 than 1 State.

17 “(b) DIRECT APPLICATION TO CORPORATION TO
18 CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-
19 GRAMS IN NONPARTICIPATING STATES.—To be eligible to
20 receive a grant from the Corporation in the circumstances
21 described in section 111A to carry out an activity de-
22 scribed in such section, a partnership or agency described
23 in such section shall prepare, submit to the Corporation,
24 and obtain approval of, an application. Such application
25 shall be submitted at such time and in such manner, and

1 shall contain such information, as the Chairperson may
2 reasonably require.

3 “(c) APPLICATION TO STATE OR INDIAN TRIBE TO
4 RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED
5 SERVICE-LEARNING PROGRAMS.—

6 “(1) IN GENERAL.—Any—

7 “(A) qualified organization that desires to
8 receive financial assistance under this subpart
9 from a State or Indian tribe for an activity de-
10 scribed in section 111(a)(1);

11 “(B) partnership described in section
12 111(a)(2) that desires to receive such assistance
13 from a State, Indian tribe, or grantmaking en-
14 tity for an activity described in section
15 111(a)(2);

16 “(C) agency described in section 111(a)(3)
17 that desires to receive such assistance from a
18 State or Indian tribe for an activity described
19 in such section; or

20 “(D) partnership described in section
21 111(a)(4) that desires to receive such assistance
22 from a State or Indian tribe for an activity de-
23 scribed in such section,

24 to be carried out through a service-learning program
25 described in section 111, shall prepare, submit to

1 the State educational agency, Indian tribe, or
2 grantmaking entity, and obtain approval of, an ap-
3 plication for the program.

4 “(2) SUBMISSION.—Such application shall be
5 submitted at such time and in such manner, and
6 shall contain such information, as the agency, tribe,
7 or entity may reasonably require.

8 “(d) CONTENTS OF APPLICATION.—An application
9 that is submitted under subsection (a), (b), or (c) with
10 respect to a service-learning program described in section
11 111 shall, at a minimum, contain a proposal that
12 includes—

13 “(1) information specifying the membership and
14 role of an established advisory committee, consisting
15 of representatives of community-based agencies in-
16 cluding service recipients, students, parents, teach-
17 ers, administrators, representatives of agencies that
18 serve school-age youth or older adults, school board
19 members, representatives of labor, and representa-
20 tives of business, that will provide advice with re-
21 spect to the program;

22 “(2) a description of—

23 “(A) the goals of the program which shall
24 include goals that are quantifiable and dem-

1 onstrate any benefits from the program to par-
2 ticipants and the community;

3 “(B) service-learning projects to be pro-
4 vided under the program, and evidence that
5 participants will make a sustained commitment
6 to service in the projects;

7 “(C) the manner in which participants in
8 the program were or will be involved in the de-
9 sign and operation of the program;

10 “(D) training for supervisors, teachers,
11 service sponsors, and participants in the pro-
12 gram;

13 “(E) the manner in which exemplary serv-
14 ice will be recognized under the program; and

15 “(F) any resources that will permit con-
16 tinuation of the program, if needed, after the
17 assistance received under this subpart for the
18 program has ended;

19 “(3) information that shall include—

20 “(A) a disclosure of whether or not the
21 participants will receive academic credit for par-
22 ticipation in the program;

23 “(B) the expected number of participants
24 in the program and the hours of service that

1 such participants will provide individually and
2 as a group;

3 “(C) the proportion of expected partici-
4 pants in the program who are economically dis-
5 advantaged, including participants with disabil-
6 ities; and

7 “(D) any role of adult volunteers in imple-
8 menting the program, and the manner in which
9 such volunteers will be recruited;

10 “(4) in the case of an application submitted by
11 a local partnership, a written agreement, between
12 the members of the local partnership, stating that
13 the program was jointly developed by the members
14 and that the program will be jointly executed by the
15 members; and

16 “(5) assurances that—

17 “(A) prior to the placement of a partici-
18 pant, the entity carrying out the program will
19 consult with any local labor organization rep-
20 resenting employees in the area who are en-
21 gaged in the same or similar work as that pro-
22 posed to be carried out by such program, to
23 prevent the displacement and protect the rights
24 of such employees;

1 “(B) the entity carrying out the program
2 will develop an age-appropriate learning compo-
3 nent for participants in the program that shall
4 include a chance for participants to analyze and
5 apply their service experiences; and

6 “(C) the entity carrying out the program
7 will comply with the nonduplication and
8 nondisplacement requirements of section 177
9 and grievance procedure requirements of section
10 176(f).

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

12 “(a) CORPORATION CRITERIA FOR APPLICATIONS.—
13 In approving applications for financial assistance under
14 subsection (a), (b), ~~(c)~~^e, or (d)^y of section 112, the Cor-
15 poration shall consider such criteria with respect to sus-
16 tainability, replicability, innovation, and quality of pro-
17 grams under this subpart as the Chairperson may by regu-
18 lation specify.

19 “(b) PRIORITY FOR LOCAL APPLICATIONS.—

20 “(1) IN GENERAL.—In providing assistance
21 under this subpart, a State educational agency or
22 Indian tribe, or the Corporation if section 111A or
23 111B applies, shall give priority to entities that sub-
24 mit applications under section 114 with respect to

1 service-learning programs described in section 111
2 that—

3 “(A) involve participants in the design and
4 operation of the program;

5 “(B) are in the greatest need of assistance,
6 such as programs targeting low-income areas:

7 “(C) involve—

8 “(i) students from public elementary
9 or secondary schools, and students from
10 private elementary or secondary schools,
11 serving together; or

12 “(ii) students of different ages, races,
13 sexes, ethnic groups, disabilities, or eco-
14 nomic backgrounds, serving together; or

15 “(D) are integrated into the academic pro-
16 gram of the participants.

17 “(c) REJECTION OF APPLICATIONS.—If the Corpora-
18 tion rejects an application submitted by a State under sec-
19 tion 113 for an allotment under ~~subsection (a) or~~ (b)(2)
20 of section 112, the Corporation shall promptly notify the
21 State of the reasons for the rejection of the application.
22 The Corporation shall provide the State with a reasonable
23 opportunity to revise and resubmit the application and
24 shall provide technical assistance, if needed, to the State

1 as part of the resubmission process. The Corporation shall
2 promptly reconsider such resubmitted application.

3 **"SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**
4 **FROM PRIVATE SCHOOLS.**

5 "(a) IN GENERAL.—To the extent consistent with the
6 number of students in the State or Indian tribe or in the
7 school district of the local educational agency involved who
8 are enrolled in private not-for-profit elementary and sec-
9 ondary schools, such State, Indian tribe, or agency shall
10 (after consultation with appropriate private school rep-
11 resentatives) make provision—

12 "(1) for the inclusion of services and arrange-
13 ments for the benefit of such students so as to allow
14 for the equitable participation of such students in
15 the programs implemented to carry out the objec-
16 tives and provide the benefits described in this sub-
17 part; and

18 "(2) for the training of the teachers of such
19 students so as to allow for the equitable participa-
20 tion of such teachers in the programs implemented
21 to carry out the objectives and provide the benefits
22 described in this subpart.

23 "(b) WAIVER.—If a State, Indian tribe, or local edu-
24 cational agency is prohibited by law from providing for
25 the participation of students or teachers from private not-

1 for-profit schools as required by subsection (a), or if the
2 Corporation determines that a State, Indian tribe, or local
3 educational agency substantially fails or is unwilling to
4 provide for such participation on an equitable basis, the
5 Chairperson shall waive such requirements and shall ar-
6 range for the provision of services to such students and
7 teachers. Such waivers shall be subject to consultation,
8 withholding, notice, and judicial review requirements in
9 accordance with paragraphs (3) and (4) of section 1017(b)
10 of the Elementary and Secondary Education Act of 1965
11 (20 U.S.C. 2727(b)).

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

13 “(a) SHARE.—

14 “(1) IN GENERAL.—The Federal share attrib-
15 utable to this subpart of the cost of carrying out a
16 program for which a grant or allotment is made
17 under this subpart may not exceed—

18 “(A) 90 percent of the total cost of the
19 program for the first year for which the pro-
20 gram receives assistance under this subpart;

21 “(B) 80 percent of the total cost of the
22 program for the second year for which the pro-
23 gram receives assistance under this subpart;

24 “(C) 70 percent of the total cost of the
25 program for the third year for which the pro-

1 gram receives assistance under this subpart
2 and

3 “(D) 50 percent of the total cost of the
4 program for the fourth year, and for any subse-
5 quent year, for which the program receives as-
6 sistance under this subpart.

7 “(2) CALCULATION.—In providing for the re-
8 maining share of the cost of carrying out such a pro-
9 gram, each recipient of assistance under this
10 subpart—

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

14 “(B) may provide for such share through
15 State sources, local sources, or Federal sources
16 (other than funds made available under this
17 Act).

18 “(b) WAIVER.—The Chairperson may waive the re-
19 quirements of subsection (a) in whole or in part with re-
20 spect to any such program in any fiscal year if the Cor-
21 poration determines that such a waiver would be equitable
22 due to a lack of available financial resources at the local
23 level.

24 “SEC. 116A. LIMITATIONS ON USES OF FUNDS.

25 “(a) ADMINISTRATIVE COSTS.—

1 “(1) STATE EDUCATIONAL AGENCY, INDIAN
2 TRIBE, OR GRANTMAKING ENTITY.—A State edu-
3 cational agency, Indian tribe, or grantmaking entity
4 that receives a grant or allotment under this subpart
5 for a fiscal year may reserve not more than 5 per-
6 cent of the funds made available through the grant
7 or allotment for the fiscal year, for administrative
8 costs of programs carried out under this subpart.

9 “(2) GRANT RECIPIENT.—If a grantmaking en-
10 tity makes a reservation under paragraph (1) of
11 funds made available for a fiscal year, a partnership
12 that receives a grant from the grantmaking entity
13 under this subpart for such fiscal year may not use
14 funds made available through the grant for adminis-
15 trative costs. If the grantmaking entity does not
16 make such a reservation, the partnership that re-
17 ceives the grant may use not more than 5 percent
18 of the funds made available through the grant for
19 administrative costs of programs carried out under
20 this subpart.

21 “(b) CAPACITY-BUILDING ACTIVITIES.—A State edu-
22 cational agency or Indian tribe that receives a grant or
23 allotment under this subpart for a fiscal year may reserve
24 not less than 10 percent and not more than 15 percent
25 of such funds, to build capacity through training, technical

1 assistance, curriculum development, and coordination ac-
2 tivities, described in section 111(a)(1).

3 “(c) LOCAL USES OF FUNDS.—Funds made available
4 under this subpart may not be used to pay any stipend,
5 allowance, or other financial support to any student who
6 is a participant under this subtitle, except reimbursement
7 for transportation, meals, and other reasonable out-of-
8 pocket expenses directly related to participation in a pro-
9 gram assisted under this subpart.

10 **“SEC. 116B. DEFINITIONS.**

11 “As used in this subpart:

12 “(1) GRANTMAKING ENTITY.—The term
13 ‘grantmaking entity’ means an organization de-
14 scribed in section 111B(a).

15 “(2) SCHOOL-BASED.—The term ‘school-based’
16 means based in an elementary school or a secondary
17 school.

18 “(3) STUDENT.—Notwithstanding section
19 101(28), the term ‘student’ means an individual who
20 is enrolled in an elementary or secondary school on
21 a full- or part-time basis.

22 **“Subpart B—Community-Based Service Programs for**
23 **School-Age Youth**

24 **“SEC. 117. DEFINITIONS.**

25 “As used in this subpart:

1 “(1) COMMUNITY-BASED SERVICE PROGRAM.—

2 The term ‘community-based service program’ means
3 a program described in section 117A(b)(1)(A).

4 “(2) GRANTMAKING ENTITY.—The term
5 ‘grantmaking entity’ means a qualified organization
6 that—

7 “(A) submits an application under section
8 117C(a) to make grants to qualified organiza-
9 tions; and

10 “(B) was in existence 1 year before the
11 date on which the organization submitted the
12 application.

13 “(3) QUALIFIED ORGANIZATION.—The term
14 ‘qualified organization’ means a public or private
15 not-for-profit organization with experience working
16 with school-age youth that meets such criteria as the
17 Chairperson may establish.

18 **“SEC. 117A. GENERAL AUTHORITY.**

19 “(a) GRANTS.—From the funds appropriated to
20 carry out this subpart for a fiscal year, the Corporation
21 may make grants to State Commissions, grantmaking en-
22 tities, and qualified organizations to pay for the Federal
23 share of the implementation, operation, expansion, or rep-
24 lication of community-based service programs.

25 “(b) USE OF FUNDS.—

1 “(1) STATE COMMISSIONS AND GRANTMAKING
2 ENTITIES.—A State Commission or grantmaking en-
3 tity may use a grant made under subsection (a)—

4 “(A) to make a grant to a qualified organi-
5 zation to implement, operate, expand, or rep-
6 licate a community-based service program that
7 provides service-learning projects involving
8 meaningful human, educational, environmental,
9 or public safety service by participants, who
10 shall be school-age youth; or

11 “(B) to provide training and technical as-
12 sistance to such an organization.

13 “(2) QUALIFIED ORGANIZATIONS.—A qualified
14 organization, other than a grantmaking entity, may
15 use a grant made under subsection (a) to implement,
16 operate, expand, or replicate a program described in
17 paragraph (1)(A).

18 **“SEC. 117B. STATE APPLICATIONS.**

19 “(a) IN GENERAL.—To be eligible to receive a grant
20 under section 117A(a), a State Commission shall prepare,
21 submit to the Corporation, and obtain approval of, an ap-
22 plication.

23 “(b) SUBMISSION.—Such application shall be submit-
24 ted to the Corporation at such time and in such manner,

1 and shall contain such information, as the Chairperson
2 may reasonably require.

3 “(c) CONTENTS.—Such an application shall include,
4 at a minimum, a State plan that contains the descriptions,
5 proposals, and assurance described in section 117C(d)
6 with respect to each community-based service program
7 proposed to be carried out through funding distributed by
8 the State Commission under this subpart.

9 **“SEC. 117C. LOCAL APPLICATIONS.**

10 “(a) APPLICATION TO CORPORATION TO MAKE
11 GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—
12 To be eligible to receive a grant from the Corporation
13 under section 117A(a) to make grants under section
14 117A(b)(1), a grantmaking entity shall prepare, submit
15 to the Corporation, and obtain approval of, an application
16 that proposes a community-based service program to be
17 carried out through grants made to qualified organiza-
18 tions. Such application shall be submitted at such time
19 and in such manner, and shall contain such information,
20 as the Chairperson may reasonably require.

21 “(b) DIRECT APPLICATION TO CORPORATION TO
22 CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—
23 To be eligible to receive a grant from the Corporation
24 under section 117A(a) to implement, operate, expand, or
25 replicate a community service program, a qualified organi-

1 zation shall prepare, submit to the Corporation, and ob-
2 tain approval of, an application that proposes a commu-
3 nity-based service program to be carried out at multiple
4 sites, or that proposes an innovative community-based
5 service program. Such application shall be submitted at
6 such time and in such manner, and shall contain such in-
7 formation, as the Chairperson may reasonably require.

8 “(c) APPLICATION TO STATE COMMISSION OR
9 GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY
10 OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be el-
11 igible to receive a grant from a State Commission or
12 grantmaking entity under section 117A(b)(1), a qualified
13 organization shall prepare, submit to the Commission or
14 entity, and obtain approval of, an application. Such appli-
15 cation shall be submitted at such time and in such man-
16 ner, and shall contain such information, as the Commis-
17 sion or entity may reasonably require.

18 “(d) REQUIREMENTS OF APPLICATION.—An applica-
19 tion submitted under subsection (a), (b), or (c) shall, at
20 a minimum, contain—

21 “(1) a description of any community-based
22 service program proposed to be implemented, oper-
23 ated, expanded, or replicated directly by the appli-
24 cant using assistance provided under this subpart:

1 “(2) a description of any grant program pro-
2 posed to be conducted by the applicant with assist-
3 ance provided under this subpart to support a com-
4 munity-based service program;

5 “(3) a proposal for carrying out the commu-
6 nity-based service program that describes the man-
7 ner in which the entity carrying out the program
8 will—

9 “(A) provide preservice and inservice train-
10 ing, for supervisors and participants, that will
11 be conducted by qualified individuals, or quali-
12 fied organizations, that have experience in com-
13 munity-based service programs;

14 “(B) include economically disadvantaged
15 individuals as participants in the program pro-
16 posed by the applicant;

17 “(C) provide an age-appropriate service-
18 learning component described in section
19 114(d)(5)(B);

20 “(D) conduct an appropriate evaluation of
21 the program;

22 “(E) provide for appropriate community
23 involvement in the program;

24 “(F) provide service experiences that pro-
25 mote leadership abilities among participants in

1 the program, including experiences that involve
2 such participants in program design;

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

5 “(H) establish and measure progress to-
6 ward the goals of the program; and

7 “(I) organize participants in the program
8 into teams, with team leaders who may be par-
9 ticipants in a program under subtitle C or indi-
10 viduals who receive a national service edu-
11 cational award under subtitle D; and

12 “(4) an assurance that the entity carrying out
13 the program proposed by the applicant will comply
14 with the nonduplication and nondisplacement provi-
15 sions of section 177 and grievance procedure re-
16 quirements of section 176(f).

17 **“SEC. 117D. CONSIDERATION OF APPLICATIONS.**

18 “(a) **APPLICATION OF CRITERIA.**—The Corporation
19 shall apply the criteria described in subsection (b) in de-
20 termining whether to approve an application submitted
21 under section 117B or under subsection (a) or (b) of sec-
22 tion 117C and to provide assistance under section 117A
23 to the applicant on the basis of the application.

24 “(b) **ASSISTANCE CRITERIA.**—In evaluating such an
25 application with respect to a program under this subpart,

1 the Corporation shall consider the criteria established for
2 national service programs under section 133(b).

3 “(c) APPLICATION TO SUBGRANTS.—A State Com-
4 mission or grantmaking entity shall apply the criteria de-
5 scribed in subsection (b) in determining whether to ap-
6 prove an application under section 117C(c) and to make
7 a grant under section 117A(b)(1) to the applicant on the
8 basis of the application.

9 **“SEC. 117E. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

10 “(a) FEDERAL SHARE.—

11 “(1) IN GENERAL.—The Federal share attrib-
12 utable to this subpart of the cost of carrying out a
13 program for which a grant is made under this sub-
14 part may not exceed the percentage specified in sub-
15 paragraph (A), (B), (C), or (D) of section 116(a)(1),
16 as appropriate.

17 “(2) CALCULATION.—Each recipient of assist-
18 ance under this subpart shall comply with section
19 116(a)(2).

20 “(b) WAIVER.—The Chairperson may waive the re-
21 quirements of subsection (a) as provided in section 116(b).

22 **“SEC. 117F. LIMITATIONS ON USES OF FUNDS.**

23 “(a) STATE COMMISSION OR GRANTMAKING EN-
24 TITY.—A State Commission or grantmaking entity that
25 receives a grant under this subpart for a fiscal year may

1 reserve not more than 5 percent of the funds made avail-
2 able through such grant for the fiscal year, for administra-
3 tive costs of programs carried out under this subpart.

4 “(b) QUALIFIED ORGANIZATION.—If a grantmaking
5 entity makes a reservation under subsection (a) of funds
6 made available for a fiscal year, a qualified organization
7 that receives a grant from the entity under this subpart
8 for such fiscal year may not use funds made available
9 through the grant for administrative costs. If the entity
10 does not make such a reservation, the qualified organiza-
11 tion that receives the grant may use not more than 5 per-
12 cent of the funds made available through the grant for
13 administrative costs of programs carried out under this
14 subpart.

15 **“Subpart C—Clearinghouse**

16 **“SEC. 118. SERVICE-LEARNING CLEARINGHOUSE.**

17 “(a) IN GENERAL.—The Corporation shall provide fi-
18 nancial assistance, from funds appropriated to carry out
19 subtitle H, to agencies described in subsection (b) to es-
20 tablish a clearinghouse, which shall carry out activities,
21 either directly or by arrangement with another such entity,
22 with respect to information about service-learning.

23 “(b) PUBLIC AND PRIVATE NOT-FOR-PROFIT AGEN-
24 CIES.—Public and private not-for-profit agencies that
25 have extensive experience with service-learning, including

1 use of adult volunteers to foster service-learning. shall be
2 eligible to receive assistance under subsection (a).

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

5 “(1) assist entities carrying out State or local
6 service-learning programs with needs assessments
7 and planning;

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

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

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

17 “(4) facilitate communication among entities
18 carrying out service-learning programs and partici-
19 pants in such programs;

20 “(5) provide information, curriculum materials,
21 and technical assistance relating to planning and op-
22 eration of service-learning programs, to States and
23 local entities eligible to receive financial assistance
24 under this title;

1 “(6)(A) 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; and

6 “(B) coordinate the activities of the Clearing-
7 house with appropriate entities to avoid duplication
8 of effort;

9 “(7) make recommendations to State and local
10 entities on quality controls to improve the quality of
11 service-learning programs;

12 “(8) assist organizations in recruiting, screen-
13 ing, and placing service-learning coordinators; and

14 “(9) carry out such other activities as the Cor-
15 poration determines to be appropriate.”.

16 (b) HIGHER EDUCATION INNOVATIVE PROJECTS.—
17 Subtitle B of title I of the National and Community Serv-
18 ice Act of 1990 (42 U.S.C. 12531 et seq.) is amended
19 by striking part II and inserting the following:

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

21 **PROGRAMS FOR COMMUNITY SERVICE**

22 **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**

23 **FOR COMMUNITY SERVICE.**

24 “(a) PURPOSE.—It is the purpose of this part to ex-
25 pand participation in community service by supporting in-

1 novative community service programs carried out through
2 institutions of higher education, acting as civic institutions
3 to meet the human, educational, environmental, or public
4 safety needs of neighboring communities.

5 “(b) GENERAL AUTHORITY.—The Corporation, in
6 consultation with the Secretary of Education, is author-
7 ized to make grants to, and enter into contracts with, in-
8 stitutions of higher education (including a combination of
9 such institutions), and partnerships comprised of such in-
10 stitutions and of other public agencies or not-for-profit
11 private organizations, to pay for the Federal share of the
12 cost of—

13 “(1) enabling such an institution or partnership
14 to create or expand an organized community service
15 program that—

16 “(A) engenders a sense of social respon-
17 sibility and commitment to the community in
18 which the institution is located; and

19 “(B) provides projects for participants,
20 who shall be students, faculty, administration,
21 or staff of the institution, or residents of the
22 community;

23 “(2) supporting student-initiated and student-
24 designed community service projects through the
25 program;

1 “(3) facilitating the integration of community
2 service carried out under the program into academic
3 curricula, including integration of clinical programs
4 into the curriculum for students in professional
5 schools, so that students can obtain credit for their
6 community service projects;

7 “(4) supplementing the funds available to carry
8 out work-study programs under part C of title IV of
9 the Higher Education Act of 1965 (42 U.S.C. 2751
10 et seq.) to support service-learning and community
11 service through the community service program;

12 “(5) strengthening the service infrastructure
13 within institutions of higher education in the United
14 States through the program; and

15 “(6) providing for the training of teachers, pro-
16 spective teachers, related education personnel, and
17 community leaders in the skills necessary to develop,
18 supervise, and organize service-learning.

19 “(c) FEDERAL SHARE.—

20 “(1) SHARE.—

21 “(A) IN GENERAL.—The Federal share of
22 the cost of carrying out a community service
23 project for which a grant or contract is awarded
24 under this part may not exceed 50 percent.

“(B) CALCULATION.—Each recipient of assistance under this part shall comply with section 116(a)(2).

4 “(2) WAIVER.—The Chairperson may waive the
5 requirements of paragraph (1) as provided in section
6 116(b).

7 "(d) APPLICATION FOR GRANT.—

8 “(1) SUBMISSION.—To receive a grant or enter
9 into a contract under this part, an institution or
10 partnership described in subsection (b) shall pre-
11 pare, submit to the Corporation, and obtain approval
12 of, an application at such time and in such manner
13 as the Chairperson may reasonably require.

14 “(2) CONTENTS.—An application submitted
15 under paragraph (1) shall contain—

16 “(A) such information as the [Chair-
17 person] may reasonably require, such as a de-
18 scription of—

19 “(i) the proposed program to be es-
20 tablished with assistance provided under
21 the grant or contract;

22 “(ii) the human, educational, environ-
23 mental, or public safety service that par-
24 ticipants will perform and the community

1 need that will be addressed under such
2 program:

3 “(iii) whether or not students will re-
4 ceive academic credit for community serv-
5 ice projects under the program;

6 “(iv) the procedure for training super-
7 visors and participants and for supervising
8 and organizing participants in such pro-
9 gram;

10 “(v) the procedures to ensure that the
11 program includes the age-appropriate
12 learning component described in section
13 114(d)(5)(B);

14 “(vi) the roles played by students and
15 community members, including service re-
16 cipients, in the design and implementation
17 of the program; and

18 “(vii) the budget for the program;

19 “(B) assurances that—

20 “(i) prior to the placement of a partic-
21 ipant, the applicant will consult with any
22 local labor organization representing em-
23 ployees in the area who are engaged in the
24 same or similar work as that proposed to
25 be carried out by such program, to prevent

1 the displacement and protect the rights of
2 such employees; and

3 “(ii) the applicant will comply with
4 the nonduplication and nondisplacement
5 provisions of section 177 and grievance
6 procedure requirements of section 176(f);
7 and

8 “(C) such other assurances as the [Chair-
9 person] may reasonably require.

10 “(e) PRIORITY.—

11 “(1) IN GENERAL.—In making grants and en-
12 tering into contracts under subsection (b), the Cor-
13 poration shall give priority to applicants that submit
14 applications containing proposals that—

15 “(A) demonstrate the commitment of the
16 institution of higher education, other than by
17 demonstrating the commitment of the students,
18 to supporting the community service projects
19 carried out under the program;

20 “(B) specify the manner in which the insti-
21 tution will promote faculty, administration, and
22 staff participation in the community service
23 projects;

24 “(C) specify the manner in which the insti-
25 tution will provide service to the community

1 through organized programs, including, where
2 appropriate, clinical programs for students in
3 professional schools:

4 “(D) describe any partnership that will
5 participate in the community service projects,
6 such as a partnership comprised of—

7 “(i) the institution;

8 “(ii)(I) a community-based agency;

9 “(II) a local government agency; or

10 “(III) a not-for-profit entity that
11 serves or involves school-age youth or older
12 adults; ^{and} ~~or~~

13 “(iii) a student organization;

14 “(E) demonstrate community involvement
15 in the development of the proposal;

16 “(F) specify that the institution will use
17 such assistance to strengthen the service infra-
18 structure in institutions of higher education; or

19 “(G) with respect to projects involving de-
20 livery of service, specify projects that involve
21 leadership development of school-age youth.

22 “(2) DETERMINATION.—In giving priority to
23 applicants under paragraph (1), the Corporation
24 shall give increased priority to such an applicant for
25 each characteristic described in subparagraphs (A)

1 through (G) of paragraph (1) that is reflected in the
2 application submitted by the applicant.

3 “(f) NATIONAL SERVICE EDUCATIONAL AWARD.—A
4 participant in a program funded under this part shall be
5 eligible for the national service educational award de-
6 scribed in subtitle D, if the participant served in an ap-
7 proved national service position.

8 “(g) DEFINITION.—Notwithstanding section
9 101(28), as used in this part, the term ‘student’ means
10 an individual who is enrolled in an institution of higher
11 education on a full- or part-time basis.

12 “PART III—GENERAL PROVISIONS

13 “SEC. 120. AVAILABILITY OF APPROPRIATIONS.

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

16 “(1) a sum equal to 75 percent of such aggre-
17 gate amount shall be available to carry out part I,
18 of which—

19 “(A) 85 percent of such sum shall be avail-
20 able to carry out subpart A; and

21 “(B) 15 percent of such sum shall be avail-
22 able to carry out subpart B; and

23 “(2) a sum equal to 25 percent of such aggre-
24 gate amount shall be available to carry out part II.”.

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

“Subtitle B—School-Based and Community-Based Service-Learning Programs

“PART I—SERVE-AMERICA PROGRAMS

“SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

- “Sec. 111. Authority to assist States and Indian tribes.
- “Sec. 111A. Authority to assist local applicants in nonparticipating States.
- “Sec. 111B. Authority to assist public or private not-for-profit organizations.
- “Sec. 112. Grants and allotments.
- “Sec. 113. State or tribal applications.
- “Sec. 114. Local applications.
- “Sec. 115. Consideration of applications.
- “Sec. 115A. Participation of students and teachers from private schools.
- “Sec. 116. Federal, State, and local contributions.
- “Sec. 116A. Limitations on uses of funds.
- “Sec. 116B. Definitions.

“SUBPART B—COMMUNITY-BASED SERVICE PROGRAMS FOR SCHOOL-AGE
YOUTH

- “Sec. 117. Definitions.
- “Sec. 117A. General authority.
- “Sec. 117B. State applications.
- “Sec. 117C. Local applications.
- “Sec. 117D. Consideration of applications.
- “Sec. 117E. Federal, State, and local contributions.
- “Sec. 117F. Limitations on uses of funds.

“SUBPART C—CLEARINGHOUSE

- “Sec. 118. Service-learning clearinghouse.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY
SERVICE

- “Sec. 119. Higher education innovative programs for community service.

“PART III—GENERAL PROVISIONS

- “Sec. 120. Availability of appropriations.”.

6 (d) TECHNICAL AND CONFORMING AMENDMENT.—
7 [Section 172(a)(3)(A) of the National and Community
8 Service Act of 1990 (42 U.S.C. 12632(a)(3)(A)) is amend-

1 ed by striking "113(9)" and inserting
2 "113(b)(1)(C)(v)".]

3 **SEC. 104. QUALITY AND INNOVATION ACTIVITIES.**

4 (a) REPEAL.—Subtitle E of title I of the National
5 and Community Service Act of 1990 (42 U.S.C. 12591
6 et seq.) is repealed.

7 (b) TRANSFER.—Title I of the National and Commu-
8 nity Service Act of 1990 is amended—

9 (1) by redesignating subtitle H (42 U.S.C.
10 12653 et seq.) as subtitle E;

11 (2) by inserting subtitle E (as redesignated by
12 paragraph (1) of this subsection) after subtitle D;
13 and

14 (3) by redesignating sections 195 through 195O
15 as sections 151 through 166, respectively.

16 (c) INVESTMENT FUND FOR QUALITY AND INNOVA-
17 TION.—Title I of the National and Community Service Act
18 of 1990 (as amended by subsection (b) of this section)
19 is amended by adding at the end the following new sub-
20 title:

21 **"Subtitle H—Investment ~~Fund~~ for**
22 **Quality and Innovation**

23 ~~—————~~

1 "SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-
2 PORT NATIONAL SERVICE.

3 "(a) METHODS OF CONDUCTING ACTIVITIES.—The
4 Corporation may carry out this section directly or through
5 grants, contracts, and cooperative agreements with other
6 entities.

7 "(b) INNOVATION AND QUALITY IMPROVEMENT.—

8 "(1) ACTIVITIES.—The Corporation may under-
9 take activities to improve the quality of national
10 service programs and to support innovative and
11 model programs, including—

12 "(A) programs under subtitle B or C for
13 rural youth;

14 "(B) employer-based retiree programs;

15 "(C) intergenerational programs;

16 "(D) programs involving individuals with
17 disabilities as ~~service sponsors~~ *participants providing service*; and

18 "(E) programs sponsored by Governors.

19 "(2) INTERGENERATIONAL PROGRAM.—An
20 intergenerational program referred to in paragraph
21 (1)(C) may include a program in which older adults
22 provide services to children who participate in Head
23 Start programs.

24 "(c) SUMMER PROGRAMS.—The Corporation may
25 support service programs intended to be carried out be-

1 tween May 1 and October 1, except that such a program
2 may also include a year-round component.

3 “(d) COMMUNITY-BASED AGENCIES.—The Corpora-
4 tion may provide training and technical assistance and
5 other assistance to service sponsors and other community-
6 based agencies that provide volunteer placements in order
7 to improve the ability of such agencies to use participants
8 and other volunteers in a manner that results in high-qual-
9 ity service and a positive service experience for the partici-
10 pants and volunteers.

11 “(e) IMPROVE ABILITY TO APPLY FOR ASSIST-
12 ANCE.—The Corporation may provide training and tech-
13 nical assistance to individuals, programs, local labor orga-
14 nizations, State educational agencies, State commissions,
15 local educational agencies, local governments, community-
16 based agencies, and other entities to enable them to apply
17 for funding under one of the national service laws, to con-
18 duct high-quality programs, to evaluate such programs,
19 and for other purposes.

20 “(f) NATIONAL SERVICE FELLOWSHIPS.—The Cor-
21 poration may award national service fellowships.

22 “(g) CONFERENCES AND MATERIALS.—The Corpora-
23 tion may organize and hold conferences, and prepare and
24 publish materials, to disseminate information and promote

1 the sharing of information among programs for the pur-
2 pose of improving the quality of programs and projects.

3 “(h) PEACE CORPS AND VISTA TRAINING.—The
4 Corporation may provide training assistance to selected in-
5 dividuals who volunteer to serve in the Peace Corps or a
6 program authorized under title I of the Domestic Volun-
7 teer Service Act of 1973 (42 U.S.C. 4951 et seq.). The
8 training shall be provided as part of the course of study
9 of the individual at an institution of higher education.
10 shall involve service-learning, and shall cover appropriate
11 skills that the individual will use in the Peace Corps or
12 VISTA.

13 “(i) PROMOTION AND RECRUITMENT.—The Corpora-
14 tion may conduct a campaign to solicit funds for the Na-
15 tional Service Trust and other programs and activities au-
16 thorized under the national service laws and to promote
17 and recruit participants for programs that receive assist-
18 ance under the national service laws.

19 “(j) TRAINING.—The Corporation may support na-
20 tional and regional participant and supervisor training, in-
21 cluding leadership training and training in specific types
22 of service and in building the ethic of civic responsibility.

23 “(k) RESEARCH.—The Corporation may support re-
24 search on national service, including service-learning.

1 “(l) INTERGENERATIONAL SUPPORT.—The Corpora-
2 tion may assist programs in developing a service compo-
3 nent that combines students, out-of-school youths, and
4 older adults as participants to provide needed community
5 services.

6 “(m) PLANNING COORDINATION.—The Corporation
7 may coordinate community-wide planning among pro-
8 grams and projects.

9 “(n) YOUTH LEADERSHIP.—The Corporation may
10 support activities to enhance the ability of youth and
11 young adults to play leadership roles in national service.

12 “(o) NATIONAL PROGRAM IDENTITY.—The Corpora-
13 tion may support the development and dissemination of
14 materials, including training materials, and arrange for
15 uniforms and insignia, designed to promote unity and
16 shared features among programs that receive assistance
17 under the national service laws.

18 **“(p) SERVICE-LEARNING.—**
19 **“SEC. 198A. CLEARINGHOUSES.**

20 “(a) ASSISTANCE.—The Corporation shall provide as-
21 sistance to appropriate entities to establish one or more
22 clearinghouses, including the clearinghouse described in
23 section 118.

24 “(b) APPLICATION.—To be eligible to receive assist-
25 ance under subsection (a), an entity shall submit an appli-
cation to the Corporation at such time, in such manner,

(P) SERVICE-LEARNING.—
The Corporation shall
support innovative
programs and
activities that
promote service-
learning.

1 and containing such information as the Corporation may
2 require.

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

5 “(1) assist entities carrying out State or local
6 community service programs with needs assessments
7 and planning;

8 “(2) conduct research and evaluations concern-
9 ing community service;

10 “(3) provide leadership development and train-
11 ing to State and local community service program
12 administrators, supervisors, ^{trainers} and participants; ~~and—~~
13 ~~to trainers?]~~

14 “(4) administer award and recognition pro-
15 grams for outstanding community service programs
16 and participants; ~~dropped in section 118]~~

17 “(5) facilitate communication among entities
18 carrying out community service programs and par-
19 ticipants;

20 “(6) provide information, curriculum materials,
21 technical assistance relating to planning and oper-
22 ation of community service programs, ~~and train-~~
23 ~~ing]~~ to States and local entities eligible to receive
24 funds under this title;

1 “(7) gather and disseminate information on
2 successful community service programs, components
3 of such successful programs, innovative youth skills
4 curriculum, and community service projects: ~~coordi-~~ *add*
5 nation?] and

6 “(8) make recommendations to State and local
7 entities on quality controls to improve the delivery of
8 community service programs and on changes in the
9 programs under this title.

10 ~~such~~ ²such other activities as the Chairperson
11 determines to be appropriate?]

12 **“SEC. 198B. PRESIDENTIAL AWARDS FOR SERVICE.**

13 “(a) PRESIDENTIAL AWARDS.—

14 “(1) IN GENERAL.—The President, acting
15 through the Corporation, may make Presidential
16 awards for service to individuals providing signifi-
17 cant service, and to outstanding service programs.

18 “(2) INDIVIDUALS AND PROGRAMS.—Notwith-
19 standing section 101(17)—

20 “(A) an individual receiving an award
21 under this subsection need not be a participant
22 in a program authorized under this Act; and

23 “(B) a program receiving an award under
24 this subsection need not be a program author-
25 ized under this Act.

1 “(3) NATURE OF AWARD.—In making an award
2 under this section to an individual or program, the
3 President, acting through the Corporation—

4 “(A) is authorized to incur necessary ex-
5 penses for the honorary recognition of the indi-
6 vidual or program; and

7 “(B) is not authorized to make a cash
8 award to such individual or program.

9 “(b) INFORMATION.—The President, acting through
10 the Corporation, shall ensure that information concerning
11 individuals and programs receiving awards under this sec-
12 tion is widely disseminated.”.

13 (d) TABLE OF CONTENTS.—

(1) CIVILIAN COMMUNITY CORPS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to subtitle E of title I of such Act and inserting the following:

"Subtitle E—Civilian Community Corps

“Sec. 151. Purpose.

"Sec. 152. Establishment of Civilian Community Corps Demonstration Program.

"Sec. 153. National service program.

"Sec. 154. Summer national service program.

“Sec. 155. Civilian Community Corps.

••Sec. 156. Training.

"Sec. 157. Service projects.

"Sec. 158. Authorized benefits for Corps personnel under Federal law.

"Sec. 159. Administrative provisions.

¹¹Sec. 160. Status of Corps members and Corps personnel under Federal law.

"Sec. 161. Contract and grant authority.

"Sec. 162. Responsibilities of other departments.

"Sec. 163. Advisory board.

"Sec. 164. Annual evaluation.
"Sec. 165. Funding limitation.
"Sec. 166. Definitions."

1 (2) QUALITY AND INNOVATION.—Section 1(b)
2 of the National and Community Service Act of 1990
3 (Public Law 101–610; 104 Stat. 3127) is amended
4 by striking the items relating to subtitle H of title
5 I of such Act and inserting the following:

 "Subtitle H—Investment Fund for Quality and Innovation

"Sec. 198. Additional corporation activities to support national service.
"Sec. 198A. Clearinghouses.
"Sec. 198B. Presidential awards for service."

6 (e) TECHNICAL AND CONFORMING AMENDMENTS.—
7 (1) NATIONAL DEFENSE AUTHORIZATION ACT
8 FOR FISCAL YEAR 1993.—

9 (A) Section 1091(f)(2) of the National De-
10 fense Authorization Act for Fiscal Year 1993
11 (Public Law 102–484) is amended by striking
12 "195G" and inserting "158".

13 (B) Paragraphs (1) and (2) of section
14 1092(b), and sections 1092(c), 1093(a), and
15 1094(a) of such Act are amended by striking
16 "195A" and inserting "152".

17 (C) Sections 1091(f)(2), 1092(b)(1), and
18 1094(a), and subsections (a) and (c) of section
19 1095 of such Act are amended by striking
20 "subtitle H" and inserting "subtitle E".

1 (D) Section 1094(b)(1) and subsections (b)
2 and (c)(1) of section 1095 of such Act are
3 amended by striking “subtitles B, C, D, E, F,
4 and G” and inserting “subtitles B, C, D, F, G,
5 and H”.

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

8 (A) [Section 102] of the National and
9 Community Service Act of 1990 (42 U.S.C.
10 12512) is amended by striking “B, C, D, or E”
11 and inserting “B, C, D, or H”.

12 (B) Subsections (b) and (c) of section 171
13 of such Act (42 U.S.C. 12631) are amended by
14 striking “B through E” and inserting “B, C, D,
15 and H”.

16 (C) Section 153(a) of such Act (as redesign-
17 nated in subsection (b)(3) of this section) (42
18 U.S.C. 12635b(a)) is amended by striking
19 “195A(a)” and inserting “152(a)”.

20 (D) Section 154(a) of such Act (as redesign-
21 ignated in subsection (b)(3) of this section) (42
22 U.S.C. 12635c(a)) is amended by striking
23 “195A(a)” and inserting “152(a)”.

1 (E) Section 155 of such Act (as redesignig-
2 nated in subsection (b)(3) of this section) (42
3 U.S.C. 12635d) is amended—

4 (i) in subsection (a), by striking
5 “195H(c)(1)” and inserting “159(c)(1)”;

6 (ii) in subsection (c)(2), by striking
7 “195H(c)(2)” and inserting “159(c)(2)”;
8 and

9 (iii) in subsection (d)(3), by striking
10 “195K(a)(3)” and inserting “162(a)(3)”.

11 (F) Section 156 of such Act (as redesignig-
12 nated in subsection (b)(3) of this section) (42
13 U.S.C. 12635e) is amended—

14 (i) in subsection (c)(1), by striking
15 “195H(c)(2)” and inserting “159(c)(2)”;
16 and

17 (ii) in subsection (d), by striking
18 “195K(a)(3)” and inserting “162(a)(3)”.

19 (G) Section 159 of such Act (as redesignig-
20 nated in subsection (b)(3) of this section) (42
21 U.S.C. 12635h) is amended—

22 (i) in subsection (a)—

23 (I) by striking “195A” and in-
24 serting “152”; and

1 (II) by striking "195" and in-
2 serting "151"; and

3 (ii) in subsection (c)(2)(C)(i), by
4 striking "195K(a)(2)" and inserting "sec-
5 tion 162(a)(2)".

6 (H) Section 161(b)(1)(B) of such Act (as
7 redesignated in subsection (b)(3) of this sec-
8 tion) (42 U.S.C. 12635j(b)(1)(B)) is amended
9 by striking "195K(a)(3)" and inserting
10 "162(a)(3)".

11 (I) Section 162(a)(2)(A) of such Act (as
12 redesignated in subsection (b)(3) of this sec-
13 tion) (42 U.S.C. 12635k(a)(2)(A)) is amended
14 by striking "195(3)" and inserting "151(3)".

15 (J) Section 166 of such Act (as redesign-
16 dated in subsection (b)(3) of this section) (42
17 U.S.C. 12635o) is amended—

18 (i) in paragraph (2), by striking
19 "195D" and inserting "155";

20 (ii) in paragraph (8), by striking
21 "195A" and inserting "152";

22 (iii) in paragraph (10), by striking
23 "195D(d)" and inserting "155(d)"; and

24 (iv) in paragraph (11), by striking
25 "195D(c)" and inserting "155(c)".

1 **Subtitle B—Related Provisions**

2 **SEC. 111. DEFINITIONS.**

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

6 **“SEC. 101. DEFINITIONS.**

7 “For purposes of this title:

8 “(1) ADULT VOLUNTEER.—The term ‘adult vol-
9 unteer’ means an individual, such as an older adult,
10 an individual with a disability, a parent, or an em-
11 ployee of a business or public or private not-for-prof-
12 it agency, who—

13 “(A) works without financial remuneration
14 in an educational institution to assist students
15 or out-of-school youth; and

16 “(B) is beyond the age of compulsory
17 school attendance in the State in which the edu-
18 cational institution is located.

19 “(2) APPROVED NATIONAL SERVICE POSI-
20 TION.—The term ‘approved national service position’
21 means a national service position designated by the
22 Corporation as a position that includes a national
23 service educational award described in section 147
24 as one of the benefits to be provided for successful
25 service in the position.

1 “(3) CARRY OUT.—The term ‘carry out’, when
2 used in connection with a national service program
3 described in section 122, means the planning, estab-
4 lishment, operation, expansion, or replication of the
5 program.

6 “(4) CHAIRPERSON.—The term ‘Chairperson’
7 means the Chairperson and Director of the Corpora-
8 tion appointed under section 193.

9 “(5) COMMUNITY-BASED AGENCY.—The term
10 ‘community-based agency’ means a private not-for-
11 profit organization that is representative of a com-
12 munity and that is engaged in meeting human, edu-
13 cational, environmental, or public safety community
14 needs.

15 “(6) CORPORATION.—The term ‘Corporation’
16 means the Corporation for National Service estab-
17 lished under section 191.

18 “(7) ECONOMICALLY DISADVANTAGED.—[The
19 term ‘economically disadvantaged’ has the same
20 meaning given such term in section 4(8) of the Job
21 Training Partnership Act (29 U.S.C. 1503(8)).]

22 “(7) ECONOMICALLY DISADVANTAGED.—The
23 term ‘economically disadvantaged’ means, with re-
24 spect to an individual, an individual who is deter-
25 mined by the ~~Secretary~~ to be low-income according

Chairperson

1 to the latest available data from the Department of
2 Commerce.]

3 “(8) ELEMENTARY SCHOOL.—The term ‘ele-
4 mentary school’ has the same meaning given such
5 term in section 1471(8) of the Elementary and Sec-
6 ondary Education Act of 1965 (20 U.S.C. 2891(8)).

7 “(9) INDIAN.—The term ‘Indian’ means a per-
8 son who is a member of an Indian tribe.

9 “(10) INDIAN LANDS.—The term ‘Indian lands’
10 means any real property owned by an Indian tribe.
11 any real property held in trust by the United States
12 for an Indian or Indian tribe, and any real property
13 held by an Indian or Indian tribe that is subject to
14 restrictions on alienation imposed by the United
15 States.

16 “(11) INDIAN TRIBE.—The term ‘Indian tribe’
17 means an Indian tribe, band, nation, or other orga-
18 nized group or community, including any Native vil-
19 lage, Regional Corporation, or Village Corporation,
20 as defined in subsection (c), (g), or (j), respectively,
21 of section 3 of the Alaska Native Claims Settlement
22 Act (43 U.S.C. 1602 (c), (g), or (j)), that is recog-
23 nized as eligible for the special programs and serv-
24 ices provided by the United States under Federal
25 law to Indians because of their status as Indians.

1 “(12) INSTITUTION OF HIGHER EDUCATION.—
2 The term ‘institution of higher education’ has the
3 same meaning given such term in section 1201(a) of
4 the Higher Education Act of 1965 (20 U.S.C.
5 1141(a)).

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

11 “(14) NATIONAL SERVICE LAWS.—The term
12 ‘national service laws’ means this Act and the Do-
13 mestic Volunteer Service Act of 1973 (42 U.S.C.
14 4950 et seq.).

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

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

18 “(B) has not completed college or the
19 equivalent thereof; and

20 “(C) is not enrolled in an elementary or
21 secondary school or institution of higher edu-
22 cation.

23 “(16) PARTICIPANT.—

24 “(A) IN GENERAL.—The term ‘participant’
25 means—

1 “(i) for purposes of subtitle C, an in-
2 dividual in an approved national service
3 position; and

4 “(ii) for purposes of any other provi-
5 sion of this Act, an individual enrolled in
6 a program that receives assistance under
7 this title.

8 “(B) RULE.—A participant shall not be
9 considered to be an employee of the program in
10 which the participant is enrolled.

11 “(17) PARTNERSHIP PROGRAM.—The term
12 ‘partnership program’ means a program through
13 which an adult volunteer, a public or private not-for-
14 profit agency, an institution of higher education, or
15 a business assists a local educational agency.

16 “(18) PROGRAM.—The term ‘program’, except
17 when used as part of the term ‘academic program’,
18 means a program described in section 111(a) (other
19 than a program referred to in paragraph (3)(B) of
20 such section), 117A(a), 119(b)(1), or 122(a), in
21 paragraph (1) or (2) of section 152(b), or in section
22 198.

23 “(19) PROJECT.—The term ‘project’ means an
24 activity, carried out through a program that receives
25 assistance under this title, that results in a specific

1 identifiable service or improvement that otherwise
2 would not be done with ~~existing~~ funds. and that
3 does not duplicate the routine services or functions
4 of the employer to whom participants are assigned.

5 “(20) SCHOOL-AGE YOUTH.—The term ‘school-
6 age youth’ means an individual between the ages of
7 5 and 17, inclusive.

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

12 “(22) SERVICE-LEARNING.—The term ‘service-
13 learning’ means a method—

14 “(A) under which students or participants
15 learn and develop through active participation
16 in thoughtfully organized service that—

17 “(i) is conducted in and meets the
18 needs of a community;

19 “(ii) is coordinated with an elemen-
20 tary school, secondary school, institution of
21 higher education, or community service
22 program, and with the community; and

23 “(iii) helps foster civic responsibility;
24 and

25 “(B) that—

1 “(i) is integrated into and enhances
2 the academic curriculum of the students.
3 or the educational components of the com-
4 munity service program in which the par-
5 ticipants are enrolled; and

6 “(ii) provides structured time for the
7 students or participants to reflect on the
8 service experience.

9 “(23) SERVICE-LEARNING COORDINATOR.—The
10 term ‘service-learning coordinator’ means an individ-
11 ual who provides services as described in section
12 subsection (a)(3) or (b) of section 111.

13 “(24) SERVICE SPONSOR.—The term ‘service
14 sponsor’ means an organization, or other entity, that
15 has been selected to provide a placement for a par-
16 ticipant.

17 “(25) STATE.—The term ‘State’ means each of
18 the several States, the District of Columbia, the
19 Commonwealth of Puerto Rico, the Virgin Islands,
20 Guam, American Samoa, and the Commonwealth of
21 the Northern Mariana Islands. The term also in-
22 cludes Palau, until such time as the Compact of
23 Free Association is ratified.

24 “(26) STATE COMMISSION.—The term ‘State
25 Commission’ means a State Commission on National

1 Service maintained by a State pursuant to section
2 178. Except when used in section 178, the term in-
3 cludes an alternative administrative entity for a
4 State approved by the Corporation under such sec-
5 tion to act in lieu of a State Commission.

6 “(27) STATE EDUCATIONAL AGENCY.—The
7 term ‘State educational agency’ has the same mean-
8 ing given such term in section 1471(23) of the Ele-
9 mentary and Secondary Education Act of 1965 (20
10 U.S.C. 2891(23)).

11 “(28) STUDENT.—The term ‘student’ means an
12 individual who is enrolled in an elementary or sec-
13 ondary school or institution of higher education on
14 a full- or part-time basis.”.

15 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

16 (1) Section 182(a)(2) of the National and Com-
17 munity Service Act of 1990 (42 U.S.C 12642(a)(2))
18 is amended by striking “adult volunteer and partner-
19 ship” each place the term appears and inserting
20 “partnership”.

21 (2) Section 182(a)(3) of the National and Com-
22 munity Service Act of 1990 (42 U.S.C 12642(a)(3))
23 is amended by striking “adult volunteer and partner-
24 ship” and inserting “partnership”.

1 (3) Section 441(c)(2) of the Higher Education
2 Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by
3 striking "service opportunities or youth corps as de-
4 fined in section 101 of the National and Community
5 Service Act of 1990, and service in the agencies, in-
6 stitutions and activities designated in section 124(a)
7 of the National and Community Service Act of
8 1990" and inserting "a project, as defined in section
9 101(19) of the National and Community Service Act
10 of 1990 (42 U.S.C. 12511(18))".

11 (4) Section 1122(a)(2)(C) of the Higher Edu-
12 cation Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is
13 amended by striking "youth corps as defined in sec-
14 tion 101(30) of the National and Community Service
15 Act of 1990" and inserting "youth corps programs,
16 as described in section 122(a)(1) of the National
17 and Community Service Act of 1990".

18 (5) Section 1201(p) of the Higher Education
19 Act of 1965 (20 U.S.C. 1141(p)) is amended by
20 striking "section 101(22) of the National and Com-
21 munity Service Act of 1990" and inserting "section
22 101(22) of the National and Community Service Act
23 of 1990 (42 U.S.C. 12511(21))".

1 SEC. 112. ADMINISTRATION.

2 (a) IN GENERAL.—Subtitle F of title I of the Na-
3 tional and Community Service Act of 1990 (42 U.S.C.
4 12631 et seq.) is amended by adding at the end the follow-
5 ing new section:

6 "SEC. 187. FAMILY AND MEDICAL LEAVE.

7 "(a) EMPLOYER.—For purposes of this section, and
8 title I of the Family and Medical Leave Act of 1993 (29
9 U.S.C. 2611 et seq.), ^{participant shall be considered} ~~any person who~~ employees of the service
sponsor.

10 "(1) receives financial assistance to carry out
11 an activity under this title; and

12 "(2) is not required to provide leave under title
13 V of such Act (2 U.S.C. 60m et seq.), or under
14 chapter 63 of title 5, United States Code,
15 shall be considered to be an employer, as defined in section
16 101(4) of such Act (29 U.S.C. 2611(4)).

17 "(b) ELIGIBLE EMPLOYEE.—For purposes of title I
18 of such Act, notwithstanding section 101(2)(B)(ii) of such
19 Act, an employee of an employer who—

20 "(1) has been employed [in a position with du-
21 ties that relate to carrying out such activity]—

22 "(A) for at least 12 months by the em-
23 ployer; and

24 "(B) for at least 1,250 hours of service
25 with such employer, and

1 “(2) is not entitled to leave under title V of
2 such Act, or under chapter 63 of title 5, United
3 States Code,
4 shall be considered to be an eligible employee, as defined
5 in section 101(2) of such Act.

6 “(c) DETERMINATION.—For purposes of determining
7 whether an employee meets the hours of service require-
8 ment specified in subsection (b)(1), the legal standards es-
9 tablished under section 7 of the Fair Labor Standards Act
10 of 1938 (29 U.S.C. 207) shall apply.

11 “(d) DEFINITIONS.—As used in this section, the
12 terms “person”, “employee”, and “employ” have the same
13 meanings given such terms in subsections (a), (e), and (g)
14 of section 3 of the Fair Labor Standards Act of 1938 (29
15 U.S.C. 203 (a), (e), and (g)).”.

16 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
17 tional and Community Service Act of 1990 (Public Law
18 101-610; 104 Stat. 3127) is amended by inserting after
19 the items relating to subtitle F of title I of such Act the
20 following:

“Sec. 186. Regulations.

“Sec. 187. Family and medical leave.”.

1 “(i) for the purposes of the tort
2 claims provisions of chapter 171 of title
3 28, United States Code, a volunteer under
4 this subtitle shall be considered to be a
5 Federal employee; and

6 “(ii) for the purposes of subchapter I
7 of chapter 81 of title 5, United States
8 Code, relating to compensation to Federal
9 employees for work injuries, volunteers
10 under this subtitle shall be considered to
11 be employees, as defined in section
12 8101(1)(B) of title 5, United States Code,
13 and the provisions of such subchapter shall
14 apply.

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

20 “(3) RULES.—The Chairperson shall establish
21 written rules setting forth the criteria to be used in
22 determining whether the solicitation or acceptance of
23 contributions of money or property, real, personal,
24 or mixed, tangible or intangible, received by gift, de-
25 vice, bequest, or otherwise (pursuant to paragraph

1 (2)) would reflect unfavorably upon the ability of the
 2 Corporation or any employee of the Corporation to
 3 carry out the responsibilities or official duties of the
 4 Corporation in a fair and objective manner, or would
 5 compromise the integrity of the programs of the
 6 Corporation or any official involved in such pro-
 7 grams.

8 “(4) DISPOSITION.—Upon completion of the
 9 use by the Corporation of any affected property,
 10 such completion shall be reported to the General
 11 Services Administration and such property shall be
 12 disposed ^{without regard to} ~~in accordance with~~ title II of the Federal
 13 Property and Administrative Services Act of 1949
 14 (40 U.S.C. 471 et seq.).

15 “(5) VOLUNTEER.—As used in this subsection,
 16 the term ‘volunteer’ does not include a participant.

17 “(b) CONTRACTS.—Subject to the Federal Property
 18 and Administrative Services Act of 1949, the Corporation
 19 may enter into contracts, and cooperative and interagency
 20 agreements, with Federal and State agencies, private
 21 firms, institutions, and individuals to conduct activities
 22 necessary to carry out the duties of the Corporation under
 23 this Act.”

24 (b) DOMESTIC VOLUNTEER SERVICE ACT OF
 25 1973.—Section 401 of the Domestic Volunteer Service Act

instead insert
the following:
“The Corporation
may adopt,
amend or
repeal such
rules and
regulations
to enter into
contracts, grants
and other
instruments, as
deemed necessary
to carry
out the duties
of the Corporation
under this Act
without regard to
chapters 4 and 7
of 41 USC and
48 CFR, Chapter
1. The Corp-
oration may
determine and
keep its own
system of
accounts and
the forms and
contents of its
contracts, grants,
instruments, and
other business
functions w/o regard
to 5 CFR 1320 E.O. 12291
and the Paperwork
Reduction Act.”

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1 of 1973 (42 U.S.C. 5041) is amended by inserting after
2 the second sentence the following: "The Director shall re-
3 port directly to the Chairperson of the Corporation for Na-
4 tional Service."

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

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

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

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

23 (A) for purposes of such application, ref-
24 erences to the term "ACTION Agency" shall be
25 deemed to be references to the Corporation; and

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

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

23 (e) JOB SEARCH ASSISTANCE.—The Chairperson
24 shall establish a program to provide, or shall seek to enter
25 into a memorandum of understanding with the Secretary

and JPM 162

1 of Labor to provide, job search and related assistance to
2 employees of the ACTION agency who are not transferred
3 to the Corporation for National Service under section
4 203(c).

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

“Subtitle G—Corporation for National Service

“Sec. 191. Corporation for National Service.

“Sec. 192. Board of Directors.

“Sec. 192A. Authorities and duties of the Board of Directors.

“Sec. 193. Chairperson and Director.

“Sec. 193A. Authorities and duties of the Chairperson.

“Sec. 194. Officers.

“Sec. 195. Employees, consultants, and other personnel.

“Sec. 196. Administration.”.

10 (g) EFFECTIVE DATES.—

11 (1) IN GENERAL.—Except as provided in para-
12 graph (2), the amendments made by this section
13 shall take effect on October 1, 1993.

14 (2) ESTABLISHMENT AND APPOINTMENT AU-
15 THORITIES.—Sections 191, 192, and 193 of the Na-
16 tional and Community Service Act of 1990, as added
17 by subsection (a), shall take effect on the date of en-
18 actment of this Act.

1 **SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR**
2 **NATIONAL SERVICE.**

3 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
4 1990.—

5 (1) APPLICATION.—Subtitle I of the National
6 and Community Service Act of 1990 (as amended by
7 section 202 of this Act) is amended in section 191,
8 paragraphs (1) and (3) of section 192A(g), section
9 193(c), subsections (b), (c) (other than paragraph
10 (8)), and (d) of section 193A, subsections (a), (b),
11 and (d) of section 195, and subsections (a) and (b)
12 of section 196, by striking “this Act” each place the
13 term appears and inserting “the national service
14 laws”.

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

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

20 (B) by redesignating paragraph (9) as
21 paragraph (10); and

22 (C) by inserting after paragraph (8) the
23 following:

24 “(9) notwithstanding any other provision of
25 law, make grants to or contracts with Federal or
26 other public departments or agencies and private

1 nonprofit organizations for the assignment or refer-
2 ral of volunteers under the provisions of the Domes-
3 tic Volunteer Service Act of 1973 (except as pro-
4 vided in section 108 of the Domestic Volunteer Serv-
5 ice Act of 1973), which may provide that the agency
6 or organization shall pay all or a part of the costs
7 of the program; and”.

8 (b) AUTHORITIES OF ACTION AGENCY.—Sections
9 401 and 402 of the Domestic Volunteer Service Act of
10 1973 (42 U.S.C. 5041 and 5042) are repealed.

11 (c) TRANSFER OF FUNCTIONS FROM ACTION
12 AGENCY.—

13 (1) DEFINITIONS.—For purposes of this sub-
14 section, unless otherwise provided or indicated by
15 the context—

16 (A) the term “Chairperson” means the
17 Chairperson of the Corporation;

18 (B) the term “Corporation” means the
19 Corporation for National Service, established
20 under section 191 of the National and Commu-
21 nity Service Act of 1990;

22 (C) the term “Federal agency” has the
23 meaning given to the term “agency” by section
24 551(1) of title 5, United States Code;

1 (D) the term "function" means any duty,
2 obligation, power, authority, responsibility,
3 right, privilege, activity, or program; and

4 (E) the term "office" includes any office,
5 administration, agency, institute, unit, organi-
6 zational entity, or component thereof.

7 (2) TRANSFER OF FUNCTIONS.—There are
8 transferred to the Corporation such functions as the
9 President determines to be appropriate that the Di-
10 rector of the ACTION Agency exercised before the
11 effective date of this subsection (including all related
12 functions of any officer or employee of the ACTION
13 Agency).

14 (3) DETERMINATIONS OF CERTAIN FUNCTIONS
15 BY THE OFFICE OF MANAGEMENT AND BUDGET.—
16 If necessary, the Office of Management and Budget
17 shall make any determination of the functions that
18 are transferred under paragraph (2).

19 (4) REORGANIZATION.—The Chairperson is au-
20 thorized to allocate or reallocate any function trans-
21 ferred under paragraph (2) among the officers of the
22 Corporation.

23 (5) TRANSFER AND ALLOCATIONS OF APPRO-
24 PRIATIONS AND PERSONNEL.—Except as otherwise
25 provided in this subsection, the personnel employed

1 in connection with, and the assets, liabilities, con-
2 tracts, property, records, and unexpended balances
3 of appropriations, authorizations, allocations, and
4 other funds employed, used, held, arising from,
5 available to, or to be made available in connection
6 with the functions transferred by this subsection,
7 subject to section 1531 of title 31, United States
8 Code, shall be transferred to the Corporation. Unex-
9 pended funds transferred pursuant to this paragraph
10 shall be used only for the purposes for which the
11 funds were originally authorized and appropriated.

12 (6) INCIDENTAL TRANSFER.—The Director of
13 the Office of Management and Budget, at such time
14 or times as the Director shall provide, is authorized
15 to make such determinations as may be necessary
16 with regard to the functions transferred by this sub-
17 section, and to make such additional incidental dis-
18 positions of personnel, assets, liabilities, grants, con-
19 tracts, property, records, and unexpended balances
20 of appropriations, authorizations, allocations, and
21 other funds held, used, arising from, available to, or
22 to be made available in connection with such func-
23 tions, as may be necessary to carry out the provi-
24 sions of this subsection. The Director of the Office
25 of Management and Budget shall provide for the ter-

1 mination of the affairs of all entities terminated by
2 this subsection and for such further measures and
3 dispositions as may be necessary to effectuate the
4 purposes of this subsection.

5 (7) EFFECT ON PERSONNEL.—

6 (A) IN GENERAL.—Except as otherwise
7 provided by this subsection, the transfer pursu-
8 ant to this subsection of full-time personnel (ex-
9 cept special Government employees) and part-
10 time personnel holding permanent positions
11 shall not cause any such employee to be sepa-
12 rated or reduced in grade or compensation, or
13 to have the benefits of the employee reduced,
14 for 1 year after the date of transfer of such em-
15 ployee under this subsection.

16 (B) EXECUTIVE SCHEDULE POSITIONS.—
17 Except as otherwise provided in this subsection,
18 any person who, on the day preceding the effec-
19 tive date of this subsection, held a position com-
20 pensated in accordance with the Executive
21 Schedule prescribed in chapter 53 of title 5,
22 United States Code, and who, without a break
23 in service, is appointed in the Corporation to a
24 position having duties comparable to the duties
25 performed immediately preceding such appoint-

1 ment shall continue to be compensated in such
2 new position at not less than the rate provided
3 for such previous position, for the duration of
4 the service of such person in such new position.

5 (C) TERMINATION OF CERTAIN POSI-
6 TIONS.—Positions whose incumbents are ap-
7 pointed by the President, by and with the ad-
8 vice and consent of the Senate, the functions of
9 which are transferred by this subsection, shall
10 terminate on the effective date of this sub-
11 section.

12 (8) SAVINGS PROVISIONS.—

13 (A) CONTINUING EFFECT OF LEGAL DOCU-
14 MENTS.—All orders, determinations, rules, reg-
15 ulations, permits, agreements, grants, contracts,
16 certificates, licenses, registrations, privileges,
17 and other administrative actions—

18 (i) that have been issued, made,
19 granted, or allowed to become effective by
20 the President, any Federal agency or offi-
21 cial thereof, or by a court of competent ju-
22 risdiction, in the performance of functions
23 that are transferred under this subsection;
24 and

1 (ii) that are in effect at the time this
2 subsection takes effect, or were final before
3 the effective date of this subsection and
4 are to become effective on or after the ef-
5 fective date of this subsection,
6 shall continue in effect according to their terms
7 until modified, terminated, superseded, set
8 aside, or revoked in accordance with law by the
9 President, the Chairperson, or other authorized
10 official, a court of competent jurisdiction, or by
11 operation of law.

12 (B) PROCEEDINGS NOT AFFECTED.—The
13 provisions of this subsection shall not affect any
14 proceedings, including notices of proposed rule-
15 making, or any application for any license, per-
16 mit, certificate, or financial assistance pending
17 before the ACTION Agency at the time this
18 subsection takes effect, with respect to func-
19 tions transferred by this subsection but such
20 proceedings and applications shall be continued.
21 Orders shall be issued in such proceedings, ap-
22 peals shall be taken therefrom, and payments
23 shall be made pursuant to such orders, as if
24 this subsection had not been enacted, and or-
25 ders issued in any such proceedings shall con-

1 tinue in effect until modified, terminated, su-
2 perseded, or revoked by a duly authorized offi-
3 cial, by a court of competent jurisdiction, or by
4 operation of law. Nothing in this subparagraph
5 shall be deemed to prohibit the discontinuance
6 or modification of any such proceeding under
7 the same terms and conditions and to the same
8 extent that such proceeding could have been
9 discontinued or modified if this subsection had
10 not been enacted.

11 (C) SUITS NOT AFFECTED.—The provi-
12 sions of this subsection shall not affect suits
13 commenced before the effective date of this sub-
14 section, and in all such suits, proceedings shall
15 be had, appeals taken, and judgments rendered
16 in the same manner and with the same effect
17 as if this subsection had not been enacted.

18 (D) NONABATEMENT OF ACTIONS.—No
19 suit, action, or other proceeding commenced by
20 or against the ACTION Agency, or by or
21 against any individual in the official capacity of
22 such individual as an officer of the ACTION
23 Agency, shall abate by reason of the enactment
24 of this subsection.

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

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

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

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

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

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

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

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

5 **TITLE III—HIGHER EDUCATION**

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

7 **[To be supplied.]**

8 **TITLE IV—REAUTHORIZATION**

9 **Subtitle A—National and**

10 **Community Service Act of 1990**

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

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

15 **“(____) ADVANCE FUNDING.—**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (5) in paragraph (6)—

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

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

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

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

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

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

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

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

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

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

20 (A) by striking “paragraph (4)” in sub-
21 paragraph (A) and inserting “paragraph (2)”;
22

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

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

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

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

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

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

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

stitutions of higher education, and special skilled volunteers.”;

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

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

(4) by redesignating paragraphs (6) as paragraph (4); and

(5) by striking paragraph (4) (as so redesignated), and inserting the following new paragraph:

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

(d) COORDINATION WITH OTHER FEDERAL AGENCIES.—Section 103 (42 U.S.C. 4953) is amended by adding at the end thereof the following new subsection:

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

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

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

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

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

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

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

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

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

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

20 (1) in paragraph (3)—

21 (A) by striking subparagraph (A);

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

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

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

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

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

8 “PARTICIPATION OF YOUNGER AND OLDER PERSONS

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

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

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

18 (1) in subsection (g)—

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

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

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

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

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

1 “APPLICATIONS FOR ASSISTANCE

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

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

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

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

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

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

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

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

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

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

1 “PART B—UNIVERSITY YEAR FOR VISTA”;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 “TECHNICAL AND FINANCIAL ASSISTANCE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (1) in subsection (a)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (B) by striking “(a)(1)(A)”.

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

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

12 “ARRANGEMENTS WITH PRIVATE, PROFIT-MAKING
13 ORGANIZATIONS

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

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

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

1 “PART E—DEMONSTRATION PROGRAMS

2 “AUTHORITY OF DIRECTOR

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

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

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

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

19 “PROHIBITION

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

23 **CHAPTER 3—ADMINISTRATION**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 (1) in subsection (a)—

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

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

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

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

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

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

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

4 "NONDISCRIMINATION PROVISIONS

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

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

19 (c) RELIGIOUS DISCRIMINATION.—

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

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

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

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

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

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

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

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

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

1 “(c) IMPROPER USE.—

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

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

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

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

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

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

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

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

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

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

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

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

23 “CENTER FOR RESEARCH AND TRAINING

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

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

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

8 (a) CIVIL SERVICE RETIREMENT SYSTEM.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

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

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

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

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

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

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

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

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

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

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

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

20 (c) APPLICABILITY AND OTHER PROVISIONS.—

21 (1) APPLICABILITY.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 **I.**

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

9 “NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

10 “SEC. 501. (a) AUTHORIZATIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

16 **II.**

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

19 “NATIONAL SENIOR VOLUNTEER CORPS

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

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

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

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

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

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

12 **IV.**

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

15 “ADMINISTRATION AND COORDINATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

215

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

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

7 (C) in paragraph (5)—

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

11 (ii) by striking “of the Agency”; and

12 **【reference to regional office】** (D) in para-
13 graph (6)—

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

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

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

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

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

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

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

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

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

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

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

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

1 (9) Section 407(5) (42 U.S.C. 5047(5)) is
2 amended by striking “the ACTION Agency” and in-
3 serting “the Corporation”.

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

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

10 (12) Section 420(b) (42 U.S.C. 5060(b)) is
11 amended by striking “the ACTION Agency” and in-
12 serting “the Corporation”.

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

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

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

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

22 (1) by striking “ACTION,”; and

23 (2) by inserting “the Corporation for National
24 Service,” after “the Consumer Product Safety Com-
25 mission,”.

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (1) in paragraph (1)—

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

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

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

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

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

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

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

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

1 (l) INTERAGENCY COUNCIL ON THE HOMELESS.—

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

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

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

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

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

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

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

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

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

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

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

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

12 **[To be supplied.]**

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

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

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

19 **[Other amendments to be supplied]**